\IVHEREAS, State Technology Law§ 106-b prohibits public and nonpublic elementary and secondary schools, including charter schools (hereinafter, "schools"), 1 from purchasing or utilizing biometric identifying technology for any purpose except for
fingerprint identification of prospective school employees or to exclusively identify
employees (individually or through their union) who have consented in writing to tho
use of such. technology until July 1, 2022 or authorization from the Commissioner of
Education, whichever occurs later;

WHEREAS, a condition precedent to a decision to authOl'ize or purch (utilization)Tj 12.103

2023., following consultation with
stakeholders and other interested parties;

WHEREAS the report considers the twelve topics required by State Technology Law
§ l0G·b, including the privacy implications of collecting, storing, and/or sharing
biometric information of students, teachers, school personnel and the general public
entering a school or school grounds and the potential impact of the use of biometric identifying technology on student civil liberties and civil rights;

WHEREAS the report identifies serious concerns regarding the use of facial recognition technology in schools, including, as reported in referenced studies, potentially higher rate of false positives for people

of facial
recognition technology at this time as little information is available about real·life situations where such technology detected and helped prevent violent incidents;

1 This definition of school, utilised in State 'l'echnology Law § lOG·b, This of

WHEREAS the concerns associated with widely used biometric identifying technology other than facial recognition technology are either minimal/beneficial (e.g., fingerprint identification) or unknown due to their infrequent or nonexistent use in New York schools (e.g., identification based upon retina and iris patterns, DNA seqirnncing, voice, or