

Introduced by Senator Simitian

December 4, 2006

An act to add and repeal Section 46001 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 29, as amended, Simitian. Pupil attendance: electronic monitoring.

Existing law requires that attendance in all schools and classes shall be recorded and kept according to regulations prescribed by the State Board of Education or as specified.

This bill would prohibit a public school, school district, and county office of education from issuing any device to a pupil that uses radio waves to transmit personal information, as defined, or to enable personal information to be viewed remotely for the purposes of recording the attendance of a pupil at school, establishing or tracking the location of a pupil on school grounds, or both. The bill would repeal these provisions as of January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 46001 is added to the Education Code,
- 2 to read:
- 3 46001. (a) A public school, school district, or county office
- 4 of education shall not issue to a pupil any device that uses radio
- 5 waves either to transmit personal information remotely or to enable

1 personal information to be read remotely for either or both of the
2 following purposes:
3 (1) Recording the attendance of a pupil at school.
4 (2) Establishing or tracking the location of a pupil on school
5 grounds.
6 (b) For purposes of this section the following definitions apply:
7 (1) “Personal information” means any of the following: the
8 name, address, telephone number, e-mail address, date of birth,
9 religion, ethnicity, photograph, fingerprint or other biometric
10 identifier, school identification number, *driver’s license number*,
11 California Identification Card number, social security number, or
12 any other unique identifier of the pupil.
13 (2) “Reader” means a scanning device that is capable of using
14 radio waves to communicate with a device issued to a pupil and
15 read the personal information broadcast or transmitted by that
16 device.
17 (3) “Remotely” means that no physical contact between a device
18 issued to a pupil and a reader is necessary in order to transmit
19 personal information.
20 (c) This section shall remain in effect only until January 1, 2011,
21 and as of that date is repealed, unless a later enacted statute, that
22 is enacted before January 1, 2011, deletes or extends that date.