

**SUBJECT:** Classifying certain THECB student information as confidential

**COMMITTEE:** Higher Education — committee substitute recommended

**VOTE:** 9 ayes — Kuempel, Paul, Bucy, Burns, Burrows, Cole, M. González, Howard, Lalani

0 nays

2 absent — Clardy, Raney

**WITNESSES:** For — None

Against — None

On — (*Registered, but did not testify*: Nichole Bunker-Henderson, Texas Higher Education Coordinating Board)

**BACKGROUND:** Some have suggested that certain data collected by the Texas Higher Education Coordinating Board (THECB) on current and prospective students for the purpose of college and career planning should be protected by the same confidentiality provisions established by the Family Educational Rights and Privacy Act (FERPA).

**DIGEST:** CSHB 4437 would establish that information about a current, former, or prospective applicant or student of an educational institution that was obtained, received, or held by THECB for the purpose of providing assistance with access to postsecondary education would be considered confidential and excepted from disclosure under state public information law. It could only be released in conformity with FERPA requirements.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.