

BILL ANALYSIS

Senate Research Center

H.B. 1226
By: Eissler (Williams)
Education
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Engrossed

DIGEST AND PURPOSE

Current law authorizes school boards to deliberate a student's disciplinary issues only in closed session in a few, select, instances. Other student issues such as class rankings, grades, and transfer requests must be heard in an open meeting. However, the federal Family Educational Rights and Privacy Act prohibits a school district from disclosing personally identifiable information about a student without prior parental consent. Consequently, school boards are limited in their ability to fully deliberate and discuss student matters. H.B. 1226 enables a school board to go into a closed meeting to discuss student matters whenever personally identifiable information about a student would necessarily be revealed in the course of the deliberations. This bill gives school boards more flexibility to meet in closed sessions in order to fully deliberate and discuss student matters.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 551, Government Code, by adding Section 551.0821, as follows:

Sec. 551.0821. SCHOOL BOARD: PERSONALLY IDENTIFIABLE INFORMATION ABOUT PUBLIC SCHOOL STUDENT. (a) Provides that this chapter does not require a school board to conduct an open meeting to deliberate a matter regarding a public school student if personally identifiable information about the student will necessarily be revealed by the deliberation.

(b) Establishes that directory information about a public school student is considered to be personally identifiable information about the student for purposes of Subsection (a) only if a parent or guardian of the student, or the student if the student has attained 18 years of age, has informed the school board, the school district, or a school in the school district that the directory information should not be released without prior consent. Defines "directory information."

(c) Provides that Subsection (a) does not apply if an open meeting about the matter is requested in writing by a parent or guardian of the student or by the student if the student has attained 18 years of age.

SECTION 2. Effective date: upon passage or September 1, 2003.