

BILL ANALYSIS

Senate Research Center

C.S.S.B. 448
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Education
3-26-2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, federal law authorizes a school district to release directory information if a parent does not provide written notice, every school year, to the school prohibiting them from doing so. The amount of paperwork a parent has to fill out at the beginning of the school year makes it easy for the parent to unintentionally overlook this requirement. C.S.S.B. 448 requires a school district to print selected sections of the Federal Family Educational Rights and Privacy Act, and an explanation thereof to be printed in bold 14 point text, along with a form for parent to indicate their position on the release of information and a statement informing parents about federal requirements relating to release of information to military recruiters. Provides how directory information will be determined and prohibits its release under certain circumstances.

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 Chapter 26, Education Code, by adding Section 26.013, as follows:

Sec. 26.013. STUDENT DIRECTORY INFORMATION. (a) Requires a school district to provide to the parent of each student, at the beginning of each school year or at enrollment, a written explanation of the Family Education Rights and Privacy Act of 1974 regarding the release of information and written notice of the right of the parent to object to the release of directory information under the same Act.

(b) Requires the notice required under Subsection (a)(2) to contain certain information and language in at least 14-point boldface type and a form immediately following, on the same page, or the next page, with the statement required under Subdivision (b)(1), that allows the parent to record certain information. Requires the inclusion of a statement that federal law requires school districts receiving assistance under the Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.), as amended, to provide military recruiters, on request, certain information unless the parent has advised the school district that the parent does not want the student's information disclosed without the parent's prior written consent.

(c) Authorizes a school district to designate as directory information any or all information defined as directory information by the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), as amended. Exempts directory information under that Act, not designated by a school district as directory information for that school district, from disclosure by the school district under Chapter 552, Government Code (Public Information).

(d) Prohibits from release, under Chapter 552, Government Code (Public Information), directory information consented to by the parent for use only for a limited school-sponsored purpose, including certain publications.

SECTION 2. Provides that this Act begins with the 2003-2004 school year.

SECTION 3. Effective date: upon passage or September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Differs from the original in the relating clause by specifying that the release of information is by school districts rather than public schools.

Differs from the original in SECTION 1 by changing the text of the notice required by Subsection (a) (2) and by adding subdivisions to Subsection (b).

Differs from the original in SECTION 1 by changing the proposed definition in Subsection (c) and by adding Subsection (d).