

By: Alvarado

H.B. No. 4046

A BILL TO BE ENTITLED

AN ACT

relating to confidentiality of student records.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.114, Government Code, is amended to read as follows:

Sec. 552.114. EXCEPTION: CONFIDENTIALITY OF STUDENT RECORDS. (a) Information that constitutes education records as that term is defined by the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g(a)(4)) is confidential and excepted from the requirements of Section 552.021 if it is maintained by an educational institution funded wholly or partly by state revenue. This subsection does not prohibit the disclosure or provision of information included in an education record if the disclosure or provision is authorized by 20 U.S.C. Section 1232g or other federal law.

(b) Information other than information covered by Subsection (a) is excepted from the requirements of Section 552.021 if it is information in a student record at an educational institution funded wholly or partly by state revenue or in a record of an applicant for admission to the institution, including a transfer applicant, except as provided by Subsection (c).

(c) ~~[(b)]~~ A record covered by ~~[under]~~ Subsection (b) ~~[(a)]~~ shall be made available on the request of:

(1) educational institution personnel;

1 (2) the student involved or the student's parent,
2 legal guardian, or spouse; or

3 (3) a person conducting a child abuse investigation
4 required by Subchapter D, Chapter 261, Family Code.

5 SECTION 2. This Act takes effect September 1, 2015.