

BILL ANALYSIS

Senate Research Center

S.B. 1743
By: Nelson
Education
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As Filed

DIGEST AND PURPOSE

The federal Family Education Rights and Privacy Act of 1974 (FERPA) protects education records maintained by educational institutions. FERPA allows release of such personally identifiable information without parental consent only under certain circumstances and for certain purposes. As proposed, S.B. 1743 amends the Texas Education Code to authorize a school district to choose to designate any or all items it desires as "directory information," subject to release in compliance with FERPA parental consent law and the Public Information Act.

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 26.0084, as follows:

Sec. 26.0084. DESIGNATION AND RELEASE OF DIRECTORY INFORMATION.

Authorizes a school district to designate any or all information defined as directory information by the Family Educational Rights and Privacy Act (FERPA) as directory information which is required to be released under the Texas Public Information Act (TPIA) after compliance with the requirements of FERPA for the release of directory information. Requires any information not so designated to not be subject to the TPIA and to be released only in accordance with FERPA.

SECTION 2. Effective date: upon passage or September 1, 2001.