

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1743  
By: Nelson  
Education  
4/27/2001  
Committee Report (Substituted)

### **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. C.S.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 Texas 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 Section 552.114, Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Provides that information is exempted from the requirements of Section 552.021 if it meets certain criteria.

(c) Authorizes a public 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(a)) and its subsequent amendments. Requires a district to comply with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) and its subsequent amendments before releasing any designated directory information.

SECTION 2. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Differs from the As Filed version by replacing previously proposed Chapter 26, Education Code, with new proposed Section 552.114, Government Code.

SECTION 2. New effective date.