

1-1 By: Alvarado, et al. (Senate Sponsor - Ellis) H.B. No. 4046
1-2 (In the Senate - Received from the House May 13, 2015;
1-3 May 13, 2015, read first time and referred to Committee on Higher
1-4 Education; May 21, 2015, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the confidentiality of student records.
1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-19 SECTION 1. Section 552.114, Government Code, is amended to
1-20 read as follows:
1-21 Sec. 552.114. EXCEPTION: CONFIDENTIALITY OF STUDENT
1-22 RECORDS. (a) In this section, "student record" means:
1-23 (1) information that constitutes education records as
1-24 that term is defined by the Family Educational Rights and Privacy
1-25 Act of 1974 (20 U.S.C. Section 1232g(a)(4)); or
1-26 (2) information in a record of an applicant for
1-27 admission to an educational institution, including a transfer
1-28 applicant.
1-29 (b) Information is confidential and excepted from the
1-30 requirements of Section 552.021 if it is information in a student
1-31 record at an educational institution funded wholly or partly by
1-32 state revenue. This subsection does not prohibit the disclosure or
1-33 provision of information included in an education record if the
1-34 disclosure or provision is authorized by 20 U.S.C. Section 1232g or
1-35 other federal law.
1-36 (c) ~~(b)~~ A record covered by ~~under~~ Subsection (b) ~~(a)~~
1-37 shall be made available on the request of:
1-38 (1) educational institution personnel;
1-39 (2) the student involved or the student's parent,
1-40 legal guardian, or spouse; or
1-41 (3) a person conducting a child abuse investigation
1-42 required by Subchapter D, Chapter 261, Family Code.
1-43 (d) Except as provided by Subsection (e), an educational
1-44 institution may redact information covered under Subsection (b)
1-45 from information disclosed under Section 552.021 without
1-46 requesting a decision from the attorney general.
1-47 (e) If an applicant for admission to an educational
1-48 institution described by Subsection (b) or a parent or legal
1-49 guardian of a minor applicant to an educational institution
1-50 described by Subsection (b) requests information in the record of
1-51 the applicant, the educational institution shall disclose any
1-52 information that:
1-53 (1) is related to the applicant's application for
1-54 admission; and
1-55 (2) was provided to the educational institution by the
1-56 applicant.
1-57 SECTION 2. This Act takes effect September 1, 2015.

1-58 * * * * *