

1st Sub. S.B. 296
Student Consent Amendments

House Amendments

Amendment 1

March 05, 2026 04:49 PM

Representative **Stephanie Gricius** proposes the following amendments:

1. *Line 48 through 55:*

48 (iv) academic credentials.

49 (c) "Informed consent" means the same as that term is defined in Section 53H-7-1001.

50 (2) In accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. Sec.

51 1232g, this chapter, and other relevant state and federal privacy laws, a student who is

52 currently enrolled in, or has previously been enrolled in, an education entity, **or a parent if the**
student is under 18 years old, has the right

53 to:

54 (a) access the student's educational data; and

55 (b) authorize access to the student's educational data in accordance with this section.

2. *Line 79 through 87:*

79 (ii) prevents the student from requesting renewed access; or

80 (iii) limits the student's ability to provide informed consent for disclosure of the
81 student's educational data.

82 (6) (a) If a student is under 18 years old and the disclosure is to a party other than the student,
83 an education entity shall obtain the parent's consent { **on behalf of the student** } in
84 accordance with this section.

(b) The restrictions described in Subsection (5) apply to a parent of a student if the student
is under 18 years old.

85 (7) This section does not alter, limit, or supersede any right or obligation under:

86 (a) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

87 (b) this chapter; or

3. *Line 88 through 94:*

88 (c) any other applicable state or federal privacy law.

89 (8) The state board may issue nonbinding guidance regarding best practices for consent
90 mechanisms that comply with the requirements of this section.

91 (9) { **An** } **Except as provided in the Family Educational Rights and Privacy Act, 20 U.S.C.**
Sec. 1232g, an education entity shall disclose a student's educational data to a third party under this
92 section only:

93 (a) with the informed consent of the student;

94 (b) according to the terms of the document expressing the student's informed consent;

4. *Line 153 through 159:*

153 (i) clearly disclose the limitation at the time the institution grants access; and

154 (ii) provide a reasonable mechanism that allows a student to re-access educational
155 data after the expiration of a time-based or session-based limitation.

156 (3) {An} **Except as provided in the Family Educational Rights and Privacy Act, 20 U.S.C.**
Sec. 1232g, an institution shall disclose a student's educational data under this section only:

157 (a) with the informed consent of the student;

158 (b) according to the terms of the document expressing the informed consent of the
159 student;