

**PUBLIC SCHOOL PRIVACY AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: Daniel R. Liljenquist

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**LONG TITLE**

**General Description:**

This bill requires the State Board of Education to establish public school student confidentiality standards.

**Highlighted Provisions:**

This bill:

- ▶ requires the State Board of Education to:
  - establish public school student confidentiality standards;
  - develop resource materials for school districts and charter schools related to the public school student confidentiality standards; and
  - provide the resource materials to each school district and charter school;
- ▶ requires the rules established by the State Board of Education to allow a local school board or charter school governing board to adopt policies related to the public school student confidentiality standards to address the needs or priorities of the school district or charter school; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-13-301**, as last amended by Laws of Utah 1995, Chapter 101

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-13-301** is amended to read:

**53A-13-301. Application of state and federal law to the administration and operation of public schools -- Student information confidentiality standards -- Local school board and charter school governing board policies.**

(1) ~~[Employees and agents]~~ An employee, student aide, volunteer, or other agent of the state's public education system shall protect the privacy of students, their parents, and their families, and support parental involvement in the education of their children through compliance with the protections provided for family and student privacy under Section 53A-13-302 and the Federal Family Educational Rights and Privacy Act and related provisions under 20 U.S.C. 1232 (g) and (h), in the administration and operation of all public school programs, regardless of the source of funding.

(2) ~~[Each public school district]~~ A local school board or charter school governing board shall enact policies governing the protection of family and student privacy as required by this section.

(3) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall makes rules to establish standards for public education employees, student aides, and volunteers in public schools regarding the confidentiality of student information and student records.

(b) The rules described in Subsection (3)(a) shall provide that a local school board or charter school governing board may adopt policies related to public school student confidentiality to address the specific needs or priorities of the school district or charter school.

(4) The State Board of Education shall:

(a) develop resource materials for purposes of training employees, student aides, and volunteers of a school district or charter school regarding the confidentiality of student information and student records; and

(b) provide the materials described in Subsection (4)(a) to each school district and

58 charter school.