

PUBLIC SCHOOL PRIVACY AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Daniel R. Liljenquist

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:



28 AMENDS:

29 **53A-13-301**, as last amended by Laws of Utah 1995, Chapter 101



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

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

33 **53A-13-301. Application of state and federal law to the administration and**
34 **operation of public schools -- Student information confidentiality standards -- Local**
35 **school board and charter school governing board policies.**

36 (1) ~~[Employees and agents]~~ An employee, student aide, volunteer, or other agent of the
37 state's public education system shall protect the privacy of students, their parents, and their
38 families, and support parental involvement in the education of their children through
39 compliance with the protections provided for family and student privacy under Section
40 53A-13-302 and the Federal Family Educational Rights and Privacy Act and related provisions
41 under 20 U.S.C. 1232 (g) and (h), in the administration and operation of all public school
42 programs, regardless of the source of funding.

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

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

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

53 (4) The State Board of Education shall:

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

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

Legislative Review Note
as of 2-25-11 3:35 PM

Office of Legislative Research and General Counsel