

ENGROSSED SENATE
BILL NO. 1533

By: Snyder and Martin of the
Senate

and

Bryant of the House

[schools - disclosure of disciplinary and nondirectory
educational records - effective date -
emergency]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 4, Chapter 350, O.S.L.
1997, as amended by Section 1, Chapter 102, O.S.L. 1999 (70 O.S.
Supp. 1999, Section 24-101.4), is amended to read as follows:

Section 24-101.4 A. A school district in which a student is
enrolled or is in the process of enrolling in may request the
student's education records from any school district in which the
student was formerly enrolled to ascertain safety issues with
incoming students and ensure full disclosure. A district that
receives a request for the education records of a student who
formerly was enrolled in the district shall forward the records
within three (3) business days of receipt of the request. The
records shall include the student's disciplinary records.
Disciplinary records shall include but not be limited to all
information that relates to a student assaulting, carrying weapons,
possessing illegal drugs, including alcohol, and any incident that
poses a potential dangerous threat to students or school personnel.
The forwarding and disclosure of disciplinary records or other
education records to a school district in which a student seeks or
intends to enroll shall be in accordance with the annual
notification requirements and provisions of the Family Educational
Rights and Privacy Act of 1974 (FERPA).

B. Each school district shall be required to release nondirectory educational records to the agencies listed in Section 620.3 of Title 10 of the Oklahoma Statutes. The release of any records shall be in accordance with the provisions of FERPA. The term "nondirectory educational records" shall be those records maintained by the school regarding a child who is or has been a student at the school which are categorized as private or confidential records pursuant to FERPA.

C. The State Board of Education shall promulgate rules for monitoring school districts for compliance with this section and providing sanctions for noncompliance with this section. The Board shall inform school districts of their statutory responsibilities for compliance with FERPA. Enforcement and sanctions shall be as provided by the federal requirements under FERPA.

SECTION 2. This act shall become effective July 1, 2000.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 29th day of February, 2000.

President of the Senate

Passed the House of Representatives the ____ day of _____, 2000.

Speaker of the House of Representatives