

ENGROSSED SENATE
BILL NO. 65

By: Fisher and Martin of the
Senate

and

Benson of the House

An Act relating to schools; amending Section 4, Chapter 350, O.S.L. 1997 (70 O.S. Supp. 1998, Section 24-101.4), which relates to disclosure of disciplinary and nondirectory education records; authorizing request of certain records; requiring districts to forward certain education records; prescribing time for forwarding certain records; deleting superfluous language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 350, O.S.L. 1997 (70 O.S. Supp. 1998, Section 24-101.4), is amended to read as follows:

Section 24-101.4 A. ~~For any student that enrolls in a school district other than the school district for which the student was enrolled for that year or the prior year, upon the request of the receiving school district for the education records for that student, the sending school district shall include in the records a copy of any disciplinary records for that student. A school district in which a student is enrolled may request the student's education records from any school district in which the student was formerly enrolled. 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.~~ 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, 1999.

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 23rd day of February, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1999.

Speaker of the House of Representatives