ENROLLED SENATE
BILL NO. 1533

By: Snyder and Martin of the Senate

and

Bryant and Worthen of the House

An Act relating to schools, amending 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) which relates to disclosure of disciplinary and nondirectory educational records; modifying status of student for whom districts may request certain records; stating purpose for request of certain records; stating what disciplinary records shall include; 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, 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 <u>or is in the process of enrolling in</u> may request the student's education records from any school district in which the student was formerly enrolled <u>to ascertain safety issues with incoming students and ensure full disclosure</u>. 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. <u>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.</u> 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 26th day of April, 2000.

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President of the Senate

Passed the House of Representatives the 5th day of April, 2000.

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Speaker of the House of Representatives