

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1646

By: Ferguson

AS INTRODUCED

An Act relating to school records; amending 51 O.S. 2001, Section 24A.16, which relates to confidentiality of educational records and material; updating statutory language; allowing the release of individual student records to certain school districts; amending 70 O.S. 2001, Section 6-115, which relates to information concerning pupils; clarifying statutory language; authorizing the release of certain information by a teacher if required by law; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 51 O.S. 2001, Section 24A.16, is amended to read as follows:

Section 24A.16. A. Except as set forth in subsection B of this section, public educational institutions and their employees may keep confidential:

1. Individual student records;
2. Teacher lesson plans, tests and other teaching material; and
3. Personal communications concerning individual students.

B. If kept, statistical information not identified with a particular student and directory information shall be open for inspection and copying. "Directory information" includes a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational institution attended by the

student. Any educational agency or institution making public directory information shall give public notice of the categories of information which it has designated as ~~such~~ directory information with respect to each student attending the institution or agency and shall allow a reasonable period of time after ~~such~~ the notice has been given for a parent to inform the institution or agency that any or all of the information designated should not be released without ~~the parent's or guardian's~~ prior consent of the parent or guardian or the ~~student's himself if he~~ student if the student is eighteen (18) years of age or older.

C. A public school district may release individual student records to a school district at which the student was previously enrolled for purposes of evaluating educational programs and school effectiveness.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 6-115, is amended to read as follows:

Section 6-115. It shall be unlawful ~~and a misdemeanor~~ for any teacher to reveal any information concerning ~~any child~~ a student obtained by ~~him~~ the teacher in ~~his~~ the capacity as a teacher except as may be required in the performance of ~~his~~ the contractual duties, ~~except said~~ of the teacher or as otherwise required by law. The information may be ~~furnished~~ provided to the parent or guardian of ~~said child~~ the student upon request or as otherwise required by law. Any violation of this section shall upon conviction be considered a misdemeanor.

SECTION 3. This act shall become effective July 1, 2003.

SECTION 4. 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.

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