

THE HOUSE OF REPRESENTATIVES
Tuesday, February 24, 2009

Committee Substitute for
House Bill No. 1710

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1710 - By: DERBY of the House.

An Act relating to schools; requiring institutions within The Oklahoma State System of Higher Education to provide access to certain information technology content; allowing access to academic-related content to be limited in certain circumstances; requiring access to and the release of certain content to comply with the Family Education Rights and Privacy Act; providing for codification; providing an effective date; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 3218.16 of Title 70, unless there is created a duplication in
3 numbering, reads as follows:
4 Students enrolled in an institution within The Oklahoma State System of Higher
5 Education that has established a special service fee for information technology on
6 campus or an academic service fee for the use of information technology in a specific class
7 or course shall be allowed access to all academic-related content including but not limited
8 to text, images, sounds, videos and animations created, transmitted, and stored on the
9 information technology system funded in whole or part with the student fees. Students
10 shall also be allowed access to all archived e-mail messages created from or sent to the e-
11 mail account of the student which is served by and stored on the information technology

1 system funded in whole or part with the student fees. Access to and the release of stored
2 academic-related content may be restricted or prohibited by an institution if the release
3 of the content would violate any copyright restriction, licensing agreement, or any other
4 contractual or legal restriction. Access to and the release of stored academic-related
5 content and archived e-mail messages required pursuant to this section shall be in
6 compliance with the provisions of the Family Education Rights and Privacy Act
7 (FERPA).

8 SECTION 2. This act shall become effective August 1, 2009.

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

12 COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREER
13 TECH, dated 02-23-09 - DO PASS, As Amended.