

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1930

6 By: McPeak

7 COMMITTEE SUBSTITUTE

8 An Act relating to public records; amending 51 O.S.
9 2001, Section 24A.16, as amended by Section 1,
10 Chapter 430, O.S.L. 2003 (51 O.S. Supp. 2010, Section
11 24A.16), which relates to education records and
12 material; clarifying language; limiting release of
13 directory information by certain institutions and
14 schools for certain purpose; defining term; providing
15 an effective date; and declaring an emergency.

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

17 SECTION 1. AMENDATORY 51 O.S. 2001, Section 24A.16, as
18 amended by Section 1, Chapter 430, O.S.L. 2003 (51 O.S. Supp. 2010,
19 Section 24A.16), is amended to read as follows:

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

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

1 B. If kept, statistical information not identified with a
2 particular student and directory information shall be open for
3 inspection and copying. "Directory information" includes a
4 student's name, address, telephone listing, date and place of birth,
5 major field of study, participation in officially recognized
6 activities and sports, weight and height of members of athletic
7 teams, dates of attendance, degrees and awards received, and the
8 most recent previous educational institution attended by the
9 student. Any educational agency or institution making public
10 directory information shall give public notice of the categories of
11 information which it has designated as directory information with
12 respect to each student attending the institution or agency and
13 shall allow a reasonable period of time after the notice has been
14 given for a parent to inform the institution or agency that any or
15 all of the information designated should not be released without
16 prior consent of the parent or guardian or the student if the
17 student is eighteen (18) years of age or older.

18 C. A public school district may release individual student
19 records for the current or previous school year to a school district
20 at which the student was previously enrolled for purposes of
21 evaluating educational programs and school effectiveness.

22 D. An institution within The Oklahoma State System of Higher
23 Education or a technology center school shall not be required to
24 respond to an open records request to copy or mechanically reproduce

1 student directory information as defined in subsection B of this
2 section if the purpose of the open records request is for the
3 commercial solicitation of the students. As used in this
4 subsection, "commercial solicitation" means any verbal, written, or
5 electronic communication for the purpose of inducing a person to
6 purchase or invest in goods, services, or property.

7 SECTION 2. This act shall become effective July 1, 2011.

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

12

13 53-1-7012 KB 03/02/11

14

15

16

17

18

19

20

21

22

23

24