

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1875

By: West (Tammy), Fugate and
Provenzano of the House

and

Stanley of the Senate

8 An Act relating to open records; amending 51 O.S.
2011, Section 24A.16, which relates to educational
9 records; allowing educational institutions to
designate information as directory information;
10 prohibiting the release or sale of student directory
information unless disclosure is authorized by
11 federal or state law; and providing an effective
date.

14 AMENDMENT NO. 1. Page 3, line 10, deleting Section 2, inserting a
new Section 2 to read as follows:

16 "SECTION 2. It being immediately necessary for the preservation
of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this resolution shall take
18 effect and be in full force from and after its passage and
19 approval."

21 and amend the title to conform

1 Passed the Senate the 12th day of April, 2021.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2021.

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8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
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7 An Act relating to open records; amending 51 O.S.
8 2011, Section 24A.16, which relates to educational
9 records; allowing educational institutions to
10 designate information as directory information;
11 prohibiting the release or sale of student directory
12 information unless disclosure is authorized by
13 federal or state law; and providing an effective
14 date.

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

16 SECTION 1. AMENDATORY 51 O.S. 2011, Section 24A.16, is
17 amended to read as follows:

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

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

24 B. If kept, statistical information not identified with a
particular student and directory information shall be open for
inspection and copying. ~~"Directory~~ Except as provided in subsection

1 C of this section, each educational institution may choose to
2 designate specific information which shall be classified as
3 directory information for students attending the educational
4 institution. In accordance with the Family Education Rights and
5 Privacy Act, Section 1232g of Title 20 of the United States Code and
6 Part 99 of Title 34 of the Code of Federal Regulations, "directory
7 information" includes a student's name, address, telephone listing,
8 date and place of birth, major field of study, participation in
9 officially recognized activities and sports, weight and height of
10 members of athletic teams, dates of attendance, degrees and awards
11 received, and the most recent previous educational institution
12 attended by the student. Any educational agency or institution
13 making public directory information shall give public notice of the
14 categories of information which it has designated as directory
15 information with respect to each student attending the institution
16 or agency and shall allow a reasonable period of time after the
17 notice has been given for a parent to inform the institution or
18 agency that any or all of the information designated should not be
19 released without prior consent of the parent or guardian or the
20 student if the student is eighteen (18) years of age or older.

21 C. All educational agencies or institutions which are not the
22 primary custodians of student directory information of students
23 attending the educational institution, but which are allowed to
24 access the information for educational purposes, shall be prohibited

1 from releasing or selling any or all student directory information
2 unless disclosure is authorized by the Family Educational Rights and
3 Privacy Act, Section 1232g of Title 20 of the United States Code and
4 Part 99 of Title 34 of the Code of Federal Regulations, or Section
5 3-168 of Title 70 of the Oklahoma Statutes.

6 D. A public school district may release individual student
7 records for the current or previous school year to a school district
8 at which the student was previously enrolled for purposes of
9 evaluating educational programs and school effectiveness.

10 SECTION 2. This act shall become effective November 1, 2021.

11 Passed the House of Representatives the 1st day of March, 2021.

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13 _____
14 Presiding Officer of the House
of Representatives

15 Passed the Senate the ____ day of _____, 2021.

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18 _____
19 Presiding Officer of the Senate
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