

By: Hupp

H.B. No. 1026

A BILL TO BE ENTITLED

AN ACT

relating to regulating the use of social security numbers by institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.981 to read as follows:

Sec. 51.981. USE OF STUDENT'S SOCIAL SECURITY NUMBER. (a)

In this section:

(1) "Institution of higher education" means:

(A) an institution of higher education as defined by Section 61.003; or

(B) a private or independent institution of higher education as defined by Section 61.003.

(2) "Coordinating board" means the Texas Higher Education Coordinating Board.

(b) An institution of higher education may not:

(1) use a student's social security number, or another number that includes consecutively four or more consecutive digits of a student's social security number, as the student's primary student identification number;

(2) print or include in electronic or coded form a student's social security number on a student's identification card, library card, or other card or document required for a student to use or access services, information, or facilities;

1 (3) require a student, former student, or applicant
2 for admission to the institution to use or transmit the
3 individual's social security number over the telephone or Internet
4 to obtain information or access services, unless the connection is
5 secure or the number is encrypted in a manner approved by rule of
6 the coordinating board;

7 (4) post or display a student or former student's
8 social security number, with or without the individual's name, in
9 any place or manner accessible to the public or to students or
10 personnel of the institution generally; or

11 (5) include the social security number of a student,
12 former student, or applicant for admission to the institution in
13 any information that is mailed to the student, former student, or
14 applicant.

15 (c) This section does not prohibit an institution of higher
16 education from:

17 (1) requiring a student or applicant for admission to
18 the institution to disclose the individual's social security number
19 to the institution in person or in an application;

20 (2) maintaining a confidential record of a student's
21 social security number;

22 (3) using social security numbers to comply with state
23 or federal law; or

24 (4) disclosing a student's social security number with
25 the student's express consent to enable the student to participate
26 in a program or activity conducted by another person who requires
27 disclosure of the student's social security number.

1 (d) The coordinating board may adopt rules for the
2 administration of this section. The coordinating board by rule may
3 permit institutions of higher education to use a student's social
4 security number in a manner otherwise prohibited by this section
5 that the coordinating board determines is necessary to enable an
6 institution to carry out its mission or programs effectively. In a
7 rule adopted under this subsection, the coordinating board shall
8 attempt to minimize the risk of disclosure of a student's social
9 security number to unauthorized persons.

10 (e) An institution of higher education must be in compliance
11 with this section and any rules of the coordinating board adopted
12 under this section not later than September 1, 2005.

13 (f) Students of a private or independent institution of
14 higher education that does not substantially comply with this
15 section as determined by the coordinating board are ineligible for
16 tuition equalization grants under Subchapter F, Chapter 61.

17 SECTION 2. This Act takes effect September 1, 2003.