

By: Eissler

H.B. No. 1226

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a closed meeting for a school board deliberation that
3 will necessarily reveal personally identifiable information about
4 a public school student.

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

6 SECTION 1. Subchapter D, Chapter 551, Government Code, is
7 amended by adding Section 551.0821 to read as follows:

8 Sec. 551.0821. SCHOOL BOARD: PERSONALLY IDENTIFIABLE
9 INFORMATION ABOUT PUBLIC SCHOOL STUDENT. (a) This chapter does not
10 require a school board to conduct an open meeting to deliberate a
11 matter regarding a public school student if personally identifiable
12 information about the student will necessarily be revealed by the
13 deliberation.

14 (b) Directory information about a public school student is
15 considered to be personally identifiable information about the
16 student for purposes of Subsection (a) only if a parent or guardian
17 of the student, or the student if the student has attained 18 years
18 of age, has informed the school board, the school district, or a
19 school in the school district that the directory information should
20 not be released without prior consent. In this subsection,
21 "directory information" has the meaning assigned by the federal
22 Family Educational Rights and Privacy Act of 1974 (20 U.S.C.
23 Section 1232g), as amended.

24 (c) Subsection (a) does not apply if an open meeting about

1 the matter is requested in writing by a parent or guardian of the
2 student, or by the student if the student has attained 18 years of
3 age.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2003.