

By: Vo

H.B. No. 2830

A BILL TO BE ENTITLED

AN ACT

relating to regulating the use and disclosure of social security numbers by school districts and institutions of higher education.

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

SECTION 1. Subchapter Z, Chapter 25, Education Code, is amended by adding Section 25.902 to read as follows:

Sec. 25.902. USE AND DISCLOSURE OF STUDENT'S SOCIAL SECURITY NUMBER. (a) A school district may not use the social security number of a student as the district's primary identification number for the student and shall, if the district needs to use a numerical identifier for any group of students, develop an identification system that is not based on social security numbers.

(b) A school district may not disclose a student's social security number unless the district is required by law or a court order to do so.

SECTION 2. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.981 to read as follows:

Sec. 51.981. USE AND DISCLOSURE 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

1 higher education as defined by Section 61.003.

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

4 (b) An institution of higher education may not:

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

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

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

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

23 (5) include the social security number of a student,
24 former student, or applicant for admission to the institution in
25 any information that is mailed to the student, former student, or
26 applicant.

27 (c) This section does not prohibit an institution of higher

1 education from:

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

5 (2) maintaining a confidential record of a student's
6 social security number if the institution:

7 (A) holds the social security number in a secure
8 storage facility or location; and

9 (B) provides for limited access to the facility
10 or location by approved personnel only;

11 (3) using social security numbers to comply with state
12 or federal law; or

13 (4) disclosing a student's social security number with
14 the student's express consent to enable the student to participate
15 in a program or activity conducted by another person who requires
16 disclosure of the student's social security number.

17 (d) The coordinating board may adopt rules for the
18 administration of this section. The coordinating board by rule may
19 permit institutions of higher education to use a student's social
20 security number in a manner otherwise prohibited by this section
21 that the coordinating board determines is necessary to enable an
22 institution to carry out its mission or programs effectively. In a
23 rule adopted under this subsection, the coordinating board shall
24 attempt to minimize the risk of disclosure of a student's social
25 security number to unauthorized persons.

26 (e) An institution of higher education must be in compliance
27 with this section and any rules of the coordinating board adopted

1 under this section not later than September 1, 2009.

2 SECTION 3. This Act takes effect September 1, 2005.