# BILL ANALYSIS

S.B. 711
By: Jackson
Economic & Small Business Development
Committee Report (Unamended)

## BACKGROUND AND PURPOSE

Interested parties contend that the confidentiality of student information collected through the Texas Workforce Commission's regulation of career schools and colleges is inadequately addressed. Federal confidentiality requirements apply to certain schools, but not all, nor do they apply to the specific records the commission may have containing student personal information. S.B. 711 seeks to address the confidentiality of certain identifying information regarding students of career schools or colleges and other educational entities.

## RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

## ANALYSIS

S.B. 711 amends the Education Code to exempt student information from state open records law. The bill makes it a Class A misdemeanor to solicit, disclose, receive, or use, or to authorize, permit, participate in, or acquiesce in another person's use of, student information, unless otherwise permitted by Labor Code provisions relating to employment records or Texas Workforce Commission rule. The bill defines "student" as any prospective, current, or former student of a career school or college or any other school, educational institution, or business entity from which the commission receives, or regarding which the commission reviews, information through its administration or enforcement of Education Code provisions relating to career schools and colleges. The bill defines "student information" as identifying information in the commission's possession regarding a student, including a student's name, address, telephone number, social security number, e-mail address, or date of birth; any other identifying number or other information that foreseeably could be combined with other publicly available information to reveal identifying information regarding the student; and a student's education records, as defined by federal law.

## EFFECTIVE DATE

September 1, 2011.