87R5488 CXP-D

By:  Howard H.B. No. 4096

A BILL TO BE ENTITLED

AN ACT

relating to the development of a model data-sharing agreement for sharing student information between public schools, public and private postsecondary educational institutions, and certain community organizations.

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

SECTION 1.  Subchapter A, Chapter 7, Education Code, is amended by adding Section 7.012 to read as follows:

Sec. 7.012.  MODEL DATA-SHARING AGREEMENTS. (a) The agency and the Texas Higher Education Coordinating Board jointly shall develop and make available a model data-sharing agreement that may be used for sharing student information between public schools, public and private postsecondary educational institutions, and community organizations that support students pursuing higher education. To receive student information under this section a community organization must be approved for receipt of the information by the agency or the Texas Higher Education Coordinating Board.

(b)  The model data-sharing agreement must:

(1)  comply with:

(A)  federal law regarding the confidentiality of student information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g); and

(B)  any state law relating to the privacy of student information; and

(2)  protect the confidentiality of student information shared under the data-sharing agreement.

SECTION 2.  The Texas Education Agency and the Texas Higher Education Coordinating Board shall develop and make available the model agreement required by Section 7.012, Education Code, as added by this Act, for use beginning with the 2021-2022 school year.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.