

By: Howard

H.B. No. 4096

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the development of a model data-sharing agreement for
3 sharing student information between public schools, public and
4 private postsecondary educational institutions, and certain
5 community organizations.

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

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

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

19 (b) The model data-sharing agreement must:

20 (1) comply with:

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

24 (B) any state law relating to the privacy of

1 student information; and

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

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

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