

FINAL BILL REPORT

SB 5603

C 119 L 97

Synopsis as Enacted

Brief Description: Allowing parents access to student records and prohibiting their release without parental consent.

Sponsors: Senators Stevens, Zarelli, Johnson, Roach, Oke and Hochstatter.

Senate Committee on Education

House Committee on Education

Background: The federal Family Educational and Privacy Rights Act of 1974 (FERPA) provides access to educational records by a parent or student, and limits the transfer and disclosure of certain personally identifiable information in educational records without prior written consent, except in limited circumstances. Under FERPA, educational records include information maintained by an educational agency or institution that is directly related to a student. FERPA does not make any action unlawful, but allows federal funding to be discontinued if the act is violated.

State law also contains provisions addressing disclosure of educational records. School districts may disclose information in educational records to law enforcement and juvenile court officials to the extent permitted by FERPA. When a student transfers to a different school, the student's permanent educational record must be sent to the new school. School districts are required to provide the Department of Health access to students' proof of immunization. Districts must provide records of student visual/auditory screening if requested by the Superintendent of Public Instruction or the Department of Health.

Summary: The federal parental access requirement and limitation on disclosure of educational records are added to state law.

A student's parent or guardian has the right to review all the student's educational records.

A school may not release a student's educational records without the written consent of the student's parent or guardian, except as allowed under FERPA.

School districts must establish procedures that comply with FERPA, granting a student's parent or guardian access to the student's educational records and prohibiting the release of student information without the written consent of the student's parent or guardian. Prior to obtaining the written consent, the parent or guardian must be informed as to who is requesting the information, why the request is being made, which information is requested, and how the information will be used.

Votes on Final Passage:

Senate 49 0

House 96 0

Effective: July 27, 1997