

SENATE BILL REPORT

SB 6681

As of February 01, 2006

Title: An act relating to requiring school district policies on access to students and student records.

Brief Description: Regulating public school policies on access to students and student information.

Sponsors: Senators Kohl-Welles, Pridemore, Brown and Fairley.

Brief History:

Committee Activity: Early Learning, K-12 & Higher Education: 2/2/06.

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Staff: Stephanie Yurcisin (786-7438)

Background: Under the federal No Child Left Behind act, school districts that receive federal funds are obligated to provide, upon request by a military recruiter or an institution of higher education, access to secondary school student directory information. A parent or guardian of the student may request that the student's directory information not be released. The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. However, directory information is not included under this law.

There is no standard across all districts in the state of Washington regarding policies about the release of student directory information to recruiters.

Summary of Substitute Bill: The Legislature intends, in the interest of student confidentiality, that school districts minimize the release of student directory information absent express parental consent.

"Directory information" includes, among other things, the student's name, address, and telephone listing. "Recruiter" is defined as anyone who seeks to solicit a student to attend or apply to a particular educational or vocational institution or program, apply for employment with a private or public employer, or enlist in the military.

By September 1, 2006, school districts must adopt a policy and procedure for providing written notice to public high school students and their parents and legal guardians about their right to request that the student's directory information not be released to recruiters without prior written consent. The policy must also inform the parent or guardian and student that if they do not request within thirty days that the student's directory information be withheld from some or all recruiters, the school may release such information upon a recruiter's request. A written form for an opt-out request must be provided as part of the notice.

The notice must be provided in English and in any other languages the district uses to communicate with students and parents or guardians. The notice must also clearly distinguish

among categories of recruiters and allow the option of requesting that directory information not be released to a particular category or categories of recruiters. At a minimum, the categories of recruiters shall be broken into a) higher education and vocational education recruiters and employers and b) military recruiters.

The notice must be sent annually and thirty days must be allowed for the return of a request. Districts may not release directory information to any recruiter, except upon the express written parental, guardian, or student consent, before the forty-fifth day after the notice is sent.

School districts are required, by September 1, 2006, to establish procedures for taking appropriate action with regard to recruiters who engage in dishonest, unscrupulous, or deceptive recruiting practices.

Substitute Bill Compared to Original Bill: The bill as referred to committee was not considered.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.