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## State Government & Tribal Relations Committee

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### SSB 5127

**Brief Description:** Clarifying school districts' ability to redact personal information related to a student.

**Sponsors:** Senate Committee on State Government & Elections (originally sponsored by Senators Wilson, C., Lovelett, Hasegawa, Hunt, Kuderer, Nobles, Saldaña, Stanford, Van De Wege and Wellman).

#### Brief Summary of Substitute Bill

- Creates a new exemption to the Public Records Act for personal information in any records pertaining to a student currently or previously enrolled in a local education agency.

**Hearing Date:** 3/22/23

**Staff:** Jason Zolle (786-7124).

#### Background:

##### The Public Records Act.

The Public Records Act (PRA) generally requires state and local governmental entities to make many government records available to the public upon request. There are, however, over 500 statutory exemptions for certain records or information contained in records. A number of these exemptions are for personal information. The Washington Supreme Court has defined personal information as "information relating to or affecting a particular individual, information associated with private concerns, or information that is not public or general."

Such PRA exemptions include personal information:

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- in any files maintained for students in public schools;
- for a child enrolled in licensed child care in any files maintained by the Department of Children, Youth, and Families;
- for a child enrolled in a public or nonprofit program serving or pertaining to children, adolescents, or students, such as early learning or child care services, parks and recreation programs, and after-school programs; and
- for the family members or guardians of a child subject to these exemptions who share the same last name or reside at the same address, such that disclosure of the family member or guardian's information would result in disclosure of the child's.

**Summary of Bill:**

A new exemption is added to the PRA for personal information in any records pertaining to a student currently or previously enrolled in a local education agency, including correspondence, in addition to the existing exemption for personal information in any files maintained for students in public schools.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.