

Amendment to SB 352

1 Amend the title of the bill by replacing it with the following:

2  
3 AN ACT relative to substitute teacher criminal history records check and parental notification  
4 of confidential student information release.  
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6 Amend the bill by replacing all after section 1 with the following:

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8 2 Department of Education; Data Inventory and Policies Publication. Amend RSA 189:66, IV to  
9 read as follows:

10 IV. The department and each local education agency shall make publicly available students'  
11 and parents' rights under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C.  
12 section 1232g, et seq., and applicable state law including:

13 (a) The right to inspect and review the student's education records within 14 days after  
14 the day the school receives a request for access.

15 (b) The right to request amendment of a student's education records that the parent or  
16 eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy  
17 rights under FERPA.

18 (c) The right to provide written consent before the school discloses student personally  
19 identifiable data from the student's education records, provided in applicable state and federal law.

20 (d) ***If any personally identifiable data of a student is disclosed to a third party***  
21 ***pursuant to the consent exceptions of FERPA:***

22 (1) ***Within 10 school days of the release date, parents of the student shall be***  
23 ***informed of: to whom the data was released; what information was released; and the***  
24 ***educational purpose for which the information will be used.***

25 (2) ***Detailed records of the disclosure shall be included in the corresponding***  
26 ***student's education records.***

27 (e) The right to file a complaint with the Family Policy Compliance Office in the United  
28 States Department of Education concerning alleged failures to comply with the requirements of  
29 FERPA.

30 3 Effective Date.

31 I. Section 1 of this act shall take effect 60 days after its passage.

32 II. The remainder of this act shall take effect 30 days after its passage.

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**- Page 2 -**

2022-1431h

AMENDED ANALYSIS

This bill permits substitute teachers who have undergone a criminal records check to work within the same school administrative unit without undergoing an additional records check. This bill also requires parents be notified if a student's records are released under certain circumstances.