

House Engrossed Senate Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 253

SENATE BILL 1450

AN ACT

AMENDING SECTION 15-142, ARIZONA REVISED STATUTES; RELATING TO EDUCATIONAL RECORDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-142, Arizona Revised Statutes, is amended to
3 read:

4 15-142. Access to directory information relating to pupils and
5 to school property; violation; withholding of state
6 aid

7 A. If the governing board of a school district or the governing body
8 of a charter school permits the release of directory information relating to
9 pupils or permits access to school buildings, school grounds or other school
10 property to persons who inform pupils of educational or occupational
11 opportunities, the governing board or governing body shall provide access to
12 directory information relating to pupils and to school property on the same
13 basis for official recruiting representatives of the militia of this state
14 and the armed services of the United States for the purpose of informing
15 pupils of educational and occupational opportunities available in the militia
16 and the armed services. If the school district or charter school permits the
17 release of directory information relating to pupils, the information shall be
18 released on or before October 31 of each year. The department of education
19 shall design and provide to school districts and charter schools a form to
20 allow pupils to request that directory information not be released pursuant
21 to the elementary and secondary education act as reauthorized by the no child
22 left behind act of 2001. School districts and charter schools shall
23 distribute the form to pupils each year separate from any other form. If a
24 school district or charter school distributes materials to pupils through
25 electronic communication or on an internet website, the form may be
26 distributed in the same manner. A person who is wrongfully denied access to
27 directory information or access to school buildings, school grounds or other
28 school property may notify the department of education, which shall report
29 the alleged violation to the United States department of education.

30 B. Notwithstanding subsection A OF THIS SECTION, pupil transcripts
31 shall not be released to representatives of postsecondary institutions, the
32 militia of this state or the armed services of the United States unless the
33 pupil consents in writing to the release of the pupil's transcript. The
34 governing board of the school district or the governing body of the charter
35 school shall provide the pupil with a transcript release form that allows the
36 pupil to designate in separate check boxes whether the transcript is to be
37 released to postsecondary institutions, the militia of this state or the
38 armed services of the United States, or to any combination of these entities.

39 C. This section shall not be construed to authorize school districts
40 or charter schools to release information that would violate the family
41 educational rights and privacy act of 1974 (20 United States Code section
42 1232g). ANY PERSON WHO SUSPECTS THAT A SCHOOL DISTRICT OR CHARTER SCHOOL HAS
43 KNOWINGLY VIOLATED THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT MAY NOTIFY
44 THE PRINCIPAL OF THE CHARTER SCHOOL OR THE SUPERINTENDENT OF THE SCHOOL
45 DISTRICT. IF THE MATTER IS NOT SATISFACTORILY RESOLVED BY THE PRINCIPAL OF

1 THE CHARTER SCHOOL OR THE SUPERINTENDENT OF THE SCHOOL DISTRICT WITHIN SIXTY
2 DAYS AFTER THE NOTICE, THE PERSON MAY FILE A COMPLAINT WITH THE
3 SUPERINTENDENT OF PUBLIC INSTRUCTION. IF THE SUPERINTENDENT OF PUBLIC
4 INSTRUCTION DETERMINES THAT A SCHOOL DISTRICT OR CHARTER SCHOOL IS KNOWINGLY
5 IN VIOLATION OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT, THE
6 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOTIFY THE SCHOOL DISTRICT OR
7 CHARTER SCHOOL THAT IT IS IN VIOLATION OF THE FAMILY EDUCATIONAL RIGHTS AND
8 PRIVACY ACT. IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION DETERMINES THAT THE
9 SCHOOL DISTRICT OR CHARTER SCHOOL HAS FAILED TO CORRECT THE VIOLATION WITHIN
10 SIXTY DAYS AFTER A NOTICE HAS BEEN ISSUED PURSUANT TO THIS SUBSECTION, THE
11 SUPERINTENDENT OF PUBLIC INSTRUCTION MAY INFORM THE FAMILY POLICY COMPLIANCE
12 OFFICE OF THE UNITED STATES DEPARTMENT OF EDUCATION OF A POSSIBLE VIOLATION
13 OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT.

APPROVED BY THE GOVERNOR JUNE 20, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 21, 2013.

~~Passed~~ ^{Failed} the House June 13, 2013,

Passed the Senate February 27, 2013,

by the following vote: 21 Ayes,

by the following vote: 29 Ayes,

37 Nays, 2 Not Voting

0 Nays, 1 Not Voting

Speaker of the House

President of the Senate

Cheryl Laube
Chief Clerk of the House

ASB
Champion Billington
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1450

Passed the House June 13, 2013

by the following vote: 34 Ayes,

24 Nays, 2 Not Voting


Speaker of the House


Chief Clerk of the House

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill received by the Governor this~~

~~_____ day of _____, 20_____~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill received by the Secretary of State~~

~~this _____ day of _____, 20_____~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

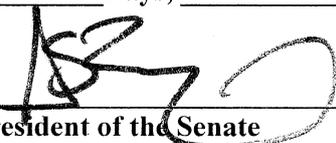
ON RECONSIDERATION
S.B. 1450

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

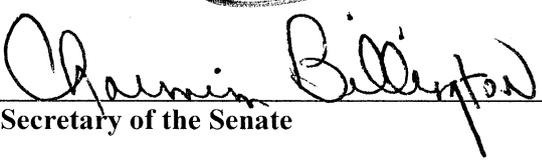
Passed the Senate June 14, 2013

by the following vote: 23 Ayes,

0 Nays, 1 Not Voting



President of the Senate



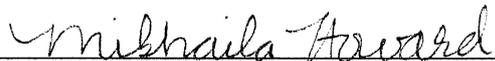
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

17 day of June, 2013

at 8:25 o'clock A M.

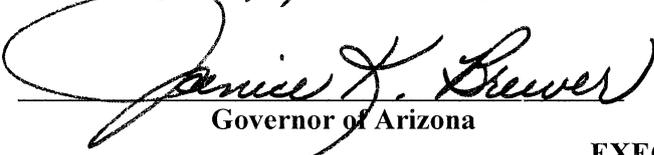


Secretary to the Governor

Approved this 20th day of

June

at 3:49 o'clock P. M.



Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 21st day of June, 2013

at 9:17 o'clock A. M.



Secretary of State