

# House Bill 2712

Sponsored by Representative FREDERICK (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs State Board of Education to adopt schedule of civil penalties for violations of rules related to creation, use, custody and disclosure, including access, of student education records.

## A BILL FOR AN ACT

1  
2 Relating to student education records; creating new provisions; and amending ORS 326.565.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 326.565 is amended to read:

5 326.565. (1) The State Board of Education shall adopt by rule standards for the creation, use,  
6 custody and disclosure, including access, of student education records that are consistent with the  
7 requirements of applicable state and federal law.

8 (2) The *[state]* board shall distribute the rules that are adopted to all school districts. The school  
9 districts shall make those rules available to the public schools in the district and to the public.

10 (3) The *[state]* board may differentiate the standards applicable to persons 18 years of age or  
11 older or enrolled in post-secondary institutions.

12 (4) The standards shall include requirements under which public and private schools and edu-  
13 cation service districts transfer student education records pursuant to ORS 326.575.

14 (5)(a) **The board shall adopt a schedule of civil penalties for violations of rules adopted**  
15 **under this section. Civil penalties shall be imposed by the Department of Education in the**  
16 **manner provided in ORS 183.745.**

17 (b) **All civil penalties recovered under this subsection shall be paid into the State Treas-**  
18 **ury and credited to the General Fund and are available for general governmental expenses.**

19 (c) **Nothing in this subsection prevents a person from filing a civil action as provided by**  
20 **ORS 30.864.**

21 **SECTION 2. The amendments to ORS 326.565 by section 1 of this 2015 Act apply to vio-**  
22 **lations occurring on or after the effective date of this 2015 Act.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.