

## LEGISLATIVE BILL 642

Approved by the Governor March 18, 1986

Introduced by Scofield, 49

AN ACT relating to schools; to amend section 79-4,157, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to a student's school records or files; to provide for fees; to provide for a copy of such records or files as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-4,157, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-4,157. (1) Any ~~pupii~~ student in any public school, his or her parents, guardians, teachers, counselors, or school administrators shall have access to the school's files or records maintained concerning such ~~pupii~~ student, including the right to inspect, review, and obtain copies of such files or records. No other person shall have access thereto nor shall the contents thereof be divulged in any manner to any unauthorized person. All such files or records shall be so maintained as to separate academic and disciplinary matters and all disciplinary material shall be removed and destroyed after ~~his or her~~ a student's continuous absence from the school for a period of three years.

(2) Each public school may establish a schedule of fees representing a reasonable cost of reproduction for copies of a student's files or records for the parents or guardians of such student, except that the imposition of a fee shall not prevent parents of students from exercising their right to inspect and review the students' files or records and no fee shall be charged to search for or retrieve any student's files or records.

(3) ; and after authorization is given by the State Records Administrator pursuant to sections 84-1201 to 84-1220- Nothing in this section shall preclude authorized representatives of ~~(1)~~ (a) auditing officials of the United States, ~~(2)~~ (b) auditing officials of this state, or ~~(3)~~ (c) state educational authorities from having access to student or other records which are necessary in connection with the audit and evaluation of

federally or state-supported education programs or in connection with the enforcement of legal requirements which relate to such programs, except that, when collection of personally identifiable data is specifically authorized by law, any data collected by such officials with respect to individual students shall not include information, including social security numbers, which would permit the personal identification of such students or their parents after the data so obtained has been collected be protected in a manner which shall not permit the personal identification of students and their parents by other than the officials listed in this subsection. Personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, or enforcement of legal requirements.

Sec. 2. A copy of a public or private school's files or records concerning a student shall be provided at no charge, upon request, to any public or private school to which the student transfers.

Sec. 3. That original section 79-4,157, Reissue Revised Statutes of Nebraska, 1943, is repealed.