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By: **Delegates Bobo, Bronrott, Dobson, Doory, Healey, Paige, Pitkin, and Swain**

Introduced and read first time: February 9, 2001  
Assigned to: Ways and Means

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 19, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public School Students - Inspection of Records - Prohibitions on Use and**  
3 **Disclosure of Information**

4 FOR the purpose of prohibiting the Maryland Higher Education Commission and  
5 certain persons, organizations, and community colleges from certain use and  
6 certain disclosure of certain information obtained from the inspection of certain  
7 records of public school students; requiring the custodian of certain records to  
8 provide a certain notice under a certain circumstance; and generally relating to  
9 certain prohibitions on the use and disclosure of certain information obtained  
10 from inspection of certain public school records.

11 BY repealing and reenacting, with amendments,  
12 Article - State Government  
13 Section 10-616(k)  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 2000 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - State Government**

19 10-616.

20 (k) (1) Subject to paragraphs (2) and (3) of this subsection, a custodian shall  
21 deny inspection of a school district record about the home address, home phone

1 number, biography, family, physiology, religion, academic achievement, or physical or  
2 mental ability of a student.

3 (2) A custodian shall permit inspection by:

4 (i) the person in interest; or

5 (ii) an elected or appointed official who supervises the student.

6 (3) (I) A custodian may permit inspection of the home address or home  
7 phone number of a student of a public school by:

8 [(i)] 1. an organization of parents, teachers, students, or former  
9 students, or any combination of those groups, of the school;

10 [(ii)] 2. an organization or force of the military;

11 [(iii)] 3. a person engaged by a school or board of education to  
12 confirm a home address or home phone number; ~~or~~

13 [(iv)] 4. a representative of a community college in the State; OR

14 5. THE MARYLAND HIGHER EDUCATION COMMISSION.

15 (II) THE COMMISSION OR A PERSON, ORGANIZATION, OR  
16 COMMUNITY COLLEGE THAT OBTAINS INFORMATION UNDER THIS PARAGRAPH MAY  
17 NOT:

18 1. USE THIS INFORMATION FOR A COMMERCIAL PURPOSE;  
19 OR

20 2. DISCLOSE THIS INFORMATION TO ANOTHER PERSON,  
21 ORGANIZATION, OR COMMUNITY COLLEGE.

22 (III) WHEN A CUSTODIAN PERMITS INSPECTION UNDER THIS  
23 PARAGRAPH, THE CUSTODIAN SHALL NOTIFY THE COMMISSION, PERSON,  
24 ORGANIZATION, OR COMMUNITY COLLEGE OF THE PROHIBITIONS UNDER  
25 SUBPARAGRAPH (II) OF THIS PARAGRAPH REGARDING USE AND DISCLOSURE OF THIS  
26 INFORMATION.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2001.

