MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document No. 232

S.P. 93

In Senate, January 11, 1999

An Act to Restrict the Posting on the Internet of Personal Information About Public School Students.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator BENNETT of Oxford.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §6001, as amended by PL 1989, c. 911, §1,
is further amended to read:

\$6001. Dissemination of information

The provisions of this section, the United States Family Education Rights and Privacy Act of 1974, Public Law 93-380, as amended by Public Law 93-568, and the United States Education of All Handicapped Children Act, Public Law 94-142, geverns govern the dissemination of information about students, as well as applications for equivalent instruction through home instruction, comments on the completeness of those applications and all education records of students receiving equivalent instruction through home instruction.

A public school may not publish on the Internet or provide for publication on the Internet any personal information about its students without first obtaining the written approval of those students' parents. For the purpose of this section, "personal information" means information that identifies a student, including, but not limited to, the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents' names.

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SUMMARY

Under current Maine law, a State or local educational agency that furnishes in any form any personally identifiable information contained in personal school records is subject to a loss of federal funding, except for certain exceptions including when the approval of the student's parents has been obtained.

This bill prohibits a public school from publishing on the Internet or furnishing for publication on the Internet any information that can be used to identify a student of that public school without first obtaining the written approval of the parents of that student.