

ASSEMBLY BILL NO. 353—ASSEMBLYWOMAN GIUNCHIGLIANI

MARCH 17, 2003

Referred to Committee on Education

SUMMARY—Makes various changes to provisions governing disclosure of personally identifiable information concerning students by University and Community College System of Nevada. (BDR 34-76)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the University and Community College System of Nevada; providing certain restrictions upon the disclosure of personally identifiable information concerning students for commercial and noncommercial uses; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** Chapter 396 of NRS is hereby amended by adding  
2     thereto the provisions set forth as sections 2 and 3 of this act.  
3     **Sec. 2. 1. *The Board of Regents shall prescribe a form that***  
4     ***provides for the informed consent of students concerning the***  
5     ***directory information that a university, university foundation,***  
6     ***state college or community college, as applicable, makes public.***  
7     ***The form must:***  
8     ***(a) Allow each student a reasonable opportunity to indicate***  
9     ***whether the student opts not to authorize the release or disclosure***  
10    ***of personally identifiable information concerning the student for:***  
11    ***(1) Commercial purposes, without the prior written consent***  
12    ***of the student;***



\* A B 3 5 3 R 2 \*

1           (2) *Noncommercial purposes, without the prior written*  
2 *consent of the student; or*  
3           (3) *Both commercial and noncommercial purposes, without*  
4 *the prior written consent of the student.*  
5           (b) *Inform the student that:*  
6           (1) *If he does not return the form indicating that his*  
7 *personally identifiable information must not be released or*  
8 *disclosed, then it is probable that the information will be released*  
9 *or disclosed.*  
10           (2) *If he returns the form indicating that his personally*  
11 *identifiable information must not be released or disclosed, then the*  
12 *university, university foundation, state college or community*  
13 *college, as applicable, will not release or disclose the information*  
14 *without his prior written consent.*  
15           (c) *Be included with the other forms required for admission to*  
16 *the university, state college or community college, as applicable.*  
17           2. *Except as otherwise required by federal law, a university,*  
18 *university foundation, state college or community college shall not*  
19 *release, disclose or otherwise use any personally identifiable*  
20 *information concerning a student without the prior written*  
21 *consent of the student for:*  
22           (a) *Commercial or noncommercial purposes if the student has*  
23 *returned a form indicating that he does not authorize release or*  
24 *disclosure for those purposes without his consent;*  
25           (b) *Commercial purposes if the student has returned a form*  
26 *indicating that he does not authorize release or disclosure for*  
27 *those purposes without his consent; or*  
28           (c) *Noncommercial purposes if the student has returned a*  
29 *form indicating that he does not authorize release or disclosure for*  
30 *those purposes.*  
31           3. *As used in this section:*  
32           (a) *“Commercial purposes” means the use of directory*  
33 *information by any person, including, without limitation, a*  
34 *corporation or other business, outside of the System to solicit or*  
35 *provide facilities, goods or services in exchange for the payment of*  
36 *any purchase price, fee, contribution, donation or other valuable*  
37 *consideration.*  
38           (b) *“Directory information” has the meaning ascribed to it in*  
39 *20 U.S.C. § 1232g(a)(5)(A).*  
40           (c) *“Personally identifiable information” means information*  
41 *that may be used to identify a person, including, without*  
42 *limitation, the name, address, telephone number, date of birth, and*  
43 *directory information of a person.*  
44           (d) *“University foundation” has the meaning ascribed to it in*  
45 *NRS 396.405.*



1     **Secs. 3-7.** (Deleted by amendment.)  
2     **Sec. 8.** 1. This act becomes effective on July 1, 2003.

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