

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB768H1

House of Origin	<u>X</u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Tata

3. Committee: General Laws

4. Title: **Freedom of Information Act (FOIA); active investigations; teacher licensing.**

5. Summary: Adds a FOIA exemption for investigator notes, and other correspondence and information with respect to an active investigation conducted by or for the Board of Education related to the denial, suspension, or revocation of teacher licenses. The substitute bill provides that records of completed investigations shall be disclosed in a form that does not reveal the identity of charging parties, persons supplying the information, or other individuals involved in the investigation. The substitute also provides that the records disclosed include information regarding the school or facility involved, the identity of the person who was the subject of the complaint, the nature of the complaint and the actions taken to resolve the complaint. If an investigation fails to support the complaint or does not lead to corrective action, then the identity of the subject of the complaint may only be released with the consent of the subject person. No personally identifiable information in regarding a current or former student shall be released except as provided by state or federal law.

6. No Fiscal Impact.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: None.

9. Specific Agency or Political Subdivisions Affected: Bored of Education, local school divisions.

10. Technical Amendment Necessary: No.

11. Other Comments: No.

Date: 2/7/2008 dpb

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c: Secretary of Education