

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 22.1-287.02, relating to students'*
3 *personally identifiable information.*

4 [H 1334]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 22.1-287.02 as follows:**8 **§ 22.1-287.02. Students' personally identifiable information.**

9 *A. The Department of Education shall develop and make publicly available on its website policies to*
10 *ensure state and local compliance with the federal Family Educational Rights and Privacy Act (20*
11 *U.S.C. § 1232g) and state law applicable to students' personally identifiable information, including*
12 *policies for (i) access to students' personally identifiable information and (ii) the approval of requests*
13 *for student data from public and private entities and individuals for the purpose of research.*

14 *B. In cases in which electronic records containing personally identifiable information are reasonably*
15 *believed by the Department of Education or a local school division to have been disclosed in violation*
16 *of the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) or other federal or state law*
17 *applicable to such information, the Department or local school division shall notify, as soon as*
18 *practicable, the parent of any student affected by such disclosure, except as otherwise provided in*
19 *§ 32.1-127.1:05 or 18.2-186.6. Such notification shall include the (i) date, estimated date, or date range*
20 *of the disclosure; (ii) type of information that was or is reasonably believed to have been disclosed; and*
21 *(iii) remedial measures taken or planned in response to the disclosure.*

ENROLLED

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