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SENATE BILL NO. 438

Senate Amendments in [] — February 8, 2016

A *BILL to amend and reenact § 23-2.1:3 of the Code of Virginia, relating to public institutions of higher education; social media accounts; disclosure.*

Patron Prior to Engrossment—Senator Barker

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 23-2.1:3 of the Code of Virginia is amended and reenacted as follows:

§ 23-2.1:3. Student records and personal information; social media.

A. Each public and private institution of higher education may require that any student accepted to and who has committed to attend, or is attending, such institution provide, to the extent available, from the originating secondary school and, if applicable, any institution of higher education he has attended a complete student record, including any mental health records held by the school. These records shall be kept confidential as required by state and federal law, including the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

B. No public institution of higher education shall sell students' personal information, including names, addresses, phone numbers, and email addresses, to any person. This subsection shall not apply to transactions involving credit, debit, employment, finance, identity verification, risk assessment, fraud prevention, or other transactions initiated by the student.

C. *No public or private institution of higher education shall require a student to disclose the username or password to any of such student's [personal] social media accounts.*

ENGROSSED

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