

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB602

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Nicholas J. Freitas

**3. Committee:** Appropriations

**4. Title:** Virginia Freedom of Information Act; scholastic records; charges.

**5. Summary:** Provides that, upon request, scholastic records shall be furnished electronically once per academic quarter and physically once per academic year at no charge to the student who is the subject thereof or the student's parent or legal guardian.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** See Item 8.

**8. Fiscal Implications:** The Office of the Attorney General indicates that the bill could increase the amount of Freedom of Information Act (FOIA) requests and the number of institute/agency attorneys required to fulfill those requests. The volume of FOIA requests requiring legal review to prevent disclosure of confidential and privileged material may increase. The resulting impact is indeterminate at this time.

The Office of the Attorney General points out that students, who are the subject of a record or those students' parents, are provided an opportunity to inspect and review their student records in accordance with the Family Education Rights and Privacy Act. The timeline for response is not as immediate as FOIA (45 days instead of 5), but the access is free of cost (unless copies are requested).

**9. Specific Agency or Political Subdivisions Affected:** Institutions of higher education, Institutions that maintain scholastic records

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.