

112TH CONGRESS
2^D SESSION

S. 3472

AN ACT

To amend the Family Educational Rights and Privacy Act
of 1974 to provide improvements to such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Uninterrupted Schol-
3 ars Act (USA)”.

4 **SEC. 2. FAMILY EDUCATIONAL RIGHTS AND PRIVACY.**

5 Section 444(b) of the General Education Provisions
6 Act (20 U.S.C. 1232g(b)) (commonly known as the “Fam-
7 ily Educational Rights and Privacy Act of 1974”) is
8 amended—

9 (1) in paragraph (1)—

10 (A) in subparagraph (J)(ii), by striking
11 “and” after the semicolon at the end;

12 (B) in subparagraph (K)(ii), by striking
13 the period at the end and inserting “; and”;
14 and

15 (C) by inserting after subparagraph (K),
16 the following:

17 “(L) an agency caseworker or other representa-
18 tive of a State or local child welfare agency, or tribal
19 organization (as defined in section 4 of the Indian
20 Self-Determination and Education Assistance Act
21 (25 U.S. C. 450b)), who has the right to access a
22 student’s case plan, as defined and determined by
23 the State or tribal organization, when such agency
24 or organization is legally responsible, in accordance
25 with State or tribal law, for the care and protection
26 of the student, provided that the education records,

1 or the personally identifiable information contained
2 in such records, of the student will not be disclosed
3 by such agency or organization, except to an indi-
4 vidual or entity engaged in addressing the student’s
5 education needs and authorized by such agency or
6 organization to receive such disclosure and such dis-
7 closure is consistent with the State or tribal laws ap-
8 plicable to protecting the confidentiality of a stu-
9 dent’s education records.”; and

10 (2) in paragraph (2)(B), by inserting “, except
11 when a parent is a party to a court proceeding in-
12 volving child abuse and neglect (as defined in section
13 3 of the Child Abuse Prevention and Treatment Act
14 (42 U.S.C. 5101 note)) or dependency matters, and
15 the order is issued in the context of that proceeding,
16 additional notice to the parent by the educational
17 agency or institution is not required” after “edu-
18 cational institution or agency”.

Passed the Senate December 17, 2012.

Attest:

Secretary.

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