

## **1998 FERPA AMENDMENTS REGARDING ALCOHOL AND DRUG VIOLATION DISCLOSURES**

### **SEC. 952. ALCOHOL OR DRUG POSSESSION DISCLOSURE.**

Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) is amended by adding at the end the following:

"(i) DRUG AND ALCOHOL VIOLATION DISCLOSURES.-

"(1) IN GENERAL.-Nothing in this Act or the Higher Education Act of 1965 shall be construed to prohibit an institution of higher education from disclosing, to a parent or legal guardian of a student, information regarding any violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records, if-

"(A) the student is under the age of 21; and

"(B) the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

"(2) STATE LAW REGARDING DISCLOSURE.-

Nothing in paragraph (1) shall be construed to supersede any provision of State law that prohibits an institution of higher education from making the disclosure described in subsection (a)."