

STUDENT ATHLETE PRIVACY PROTECTIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Kwan

House Sponsor: _____

LONG TITLE**General Description:**

This bill enacts provisions requiring schools to protect student athletic participation forms.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires schools and athletic associations to protect student athletic participation forms by complying with state and federal laws and rules; and
- ▶ requires athletic associations to prominently place a notice on student athlete participation forms that:
 - comply with state and federal laws; and
 - provide specific notice to schools and associations on privacy data protection.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53G-6-1201, Utah Code Annotated 1953



Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-6-1201** is enacted to read:

53G-6-1201. Definitions.

(1) As used in this section:

(a) "Athletic association" means an association, as that term is defined in Section [53G-7-1101](#).

(b) "Athletic participation form" means a form that an athletic association creates, either in hardcopy or in electronic format, that:

(i) allows a student and a student's parent to consent to the student's participation in high school athletics;

(ii) accompanies or includes the results of a student's physical examination evaluation and participation recommendation from the student's medical provider to determine the student's eligibility for participation in high school athletics; and

(iii) a student or a student's parent returns to:

(A) the student's school in hardcopy where the student is participating in an athletic event; or

(B) the athletic association in electronic format.

(c) "School" means a public school that sponsors or offers an interscholastic sport in which students enrolled at the school may participate.

(2) When a student submits a completed athletic participation form to the student's school or association, the school or association shall comply with all applicable state and federal privacy requirements, including:

(a) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

(b) Title 53E, Chapter 9, Student Privacy and Data Protection; and

(c) Title 63G, Chapter 2, Government Records Access and Management Act.

(3) An athletic participation form shall include, in a prominent place on the form, the following statement:

"The information contained in this form is subject to state and federal data privacy laws and rules. A school or an association receiving this form shall ensure this form is stored in a secure location in compliance with all applicable state and federal privacy laws and rules."