

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Without Recommendation as to Passage, but with Amendments and Be Printed Engrossed and Be Referred to the Committee on Rules and then Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	9 - 0 - 0
Yeas:	Fagan, Gomberg, Gorsek, Huffman, Parrish, Reardon, Sprenger, Whisnant, Gelser
Nays:	0
Exc.:	0
Prepared By:	Rick Berkobien, Administrator
Meeting Dates:	4/8, 4/17

WHAT THE MEASURE DOES: Directs Oregon Department of Education (ODE) to provide technical expertise to assist schools, school districts, and education service districts in complying with standards adopted by State Board of Education relating to student education records. Directs ODE to issue privacy risk assessment of any data system, program, or contract involving student education records. Requires standards for student education records adopted by education board rule to: 1) permit parent to view information in record; 2) require institution to disclose to parent how information is used and who is authorized to view; 3) permit parent to challenge and correct wrong information; 4) permit student or parent to refuse to provide information not required by law; 4) require personal information be used only for educational benefits of student; 5) prohibit collecting personal information for general research or program evaluation; 6) require research and evaluation information collected comply with state and federal laws; 7) require removal of personal information when no longer needed for student's education or employment application; and, 8) permit educator whose performance is evaluated using student information to view information for purposes of evaluation. Requires state board to establish by rule criteria to permit student to view records. Requires all state public bodies that conduct testing with student information to include in budget the costs associated with requirements. Declares emergency, effective July 1, 2013.

ISSUES DISCUSSED:

- Sensitivity of data
- Federal law governing student privacy

EFFECT OF COMMITTEE AMENDMENT: Requires standards for student education records adopted by education board rule to: 1) permit parent to view information in record; 2) require institution to disclose to parent how information is used and who is authorized to view; 3) permit parent to challenge and correct wrong information; 4) permit student or parent to refuse to provide information not required by law; 4) require personal information be used only for educational benefits of student; 5) prohibit collecting personal information for general research or program evaluation; 6) require research and evaluation information collected comply with state and federal laws; 7) require removal of personal information when no longer needed for student's education or employment application; and, 8) permit educator whose performance is evaluated using student information to view information for purposes of evaluation. Requires state board to establish by rule criteria to permit student to view records. Requires all state public bodies that conduct testing with student information to include in budget the costs associated with requirements.

BACKGROUND: ODE is required by law to collect and store student records and has done so for more than a decade. ODE is responsible for securing its information systems and protecting the privacy of data collected, used, shared and stored. The protection and proper handling of student records is a component of ODE's Information Security and Privacy Program. The Oregon State Board of Education adopts rules on standards for the creation, use, retention, custody and disclosure, including access of student education records that are consistent with the requirements of the applicable state and federal law.

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This summary has not been adopted or officially endorsed by action of the committee.