

A-Engrossed
House Bill 2386

Ordered by the Senate June 3
Including Senate Amendments dated June 3

Sponsored by Representative BARNHART, Senators CLOSE, KNOPP; Representative FREDERICK (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Prohibits school district from requiring student to wear, carry or use any item with radio frequency identification device if device is used for purpose of locating or tracking student or taking attendance.]

Directs State Board of Education to adopt standards for school district board to incorporate into any policy that requires student to wear, carry or use item with radio frequency identification device for purpose of locating or tracking student or taking attendance.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to radio frequency identification devices; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The State Board of Education shall adopt by rule standards for a school**
5 **district board to incorporate into any policy that requires a student to wear, carry or use**
6 **an item with a radio frequency identification device for the purpose of locating or tracking**
7 **the student or taking attendance.**

8 **(2) Rules adopted as provided by subsection (1) of this section must establish standards**
9 **that:**

10 **(a) Protect student privacy and ensure security;**

11 **(b) Require notification to students and parents about the use of radio frequency iden-**
12 **tification devices; and**

13 **(c) Allow a student or a parent of a student to choose not to have the student wear,**
14 **carry or use an item with a radio frequency identification device.**

15 **(3) Any policy adopted by a school district board that requires a student to wear, carry**
16 **or use an item with a radio frequency identification device for the purpose of locating or**
17 **tracking the student or taking attendance must incorporate the standards adopted by the**
18 **State Board of Education.**

19 **SECTION 2. (1) Notwithstanding section 1 of this 2013 Act, the State Board of Education**
20 **is not required to adopt the rules described in section 1 of this 2013 Act unless a school dis-**
21 **trict board provides notice to the State Board of Education that the school district board**
22 **intends to adopt a policy that requires a student to wear, carry or use an item with a radio**
23 **frequency identification device for the purpose of locating or tracking the student or taking**
24 **attendance.**

25 **(2) A school district board may not adopt a policy that requires a student to wear, carry**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 or use an item with a radio frequency identification device for the purpose of locating or
2 tracking the student or taking attendance until the State Board of Education adopts the
3 rules described in section 1 of this 2013 Act.

4 SECTION 3. This 2013 Act being necessary for the immediate preservation of the public
5 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
6 July 1, 2013.

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