

Testimony in Support of HB 2710
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by
Lisa A. Shultz, M.S.E.E.

Dear Chair Doherty and Members of the House Education Committee:

I am writing in support of HB 2710.

This bill's requirement for the Oregon Department of Education to issue a privacy risk assessment on any data system, program or contract involving student education records is a prudent and necessary step in achieving a comprehensive system of student data privacy protections.

Around the country states are working to create legal frameworks and requirements to ensure the privacy and security of their citizens. Consider for example this 2013 statement from the State of Ohio's Office of Information Security and Privacy on that state's requirements for Privacy Impact Statements and Assessments:

"Privacy is about respecting the free choice of an individual to determine what information, in terms of physical characteristics, attitudes and behaviors, he or she will expose to others and when and to what degree information will be exposed. A privacy impact assessment (PIA) examines a business process or system of an agency with a focus on the perspective of the people whose information will be in the system. By conducting a PIA, an agency takes into consideration the consequences of their information collection and maintenance practices on both individuals and the agency. To ensure privacy is considered, state agencies are required to create privacy impact statements in accordance with Section 125.18 of the Ohio Revised Code (ORC). For the purposes of this guide, a Privacy Impact Assessment (PIA) is the same as a privacy impact statement. Section 1347.15 of the Ohio Revised Code also requires state agencies to complete privacy impact assessment forms. Each state agency is required to have a Data Privacy Point of Contact (DPPOC) to assist the agency's program unit in completing a PIA." [1]

Education New York's "Model State Law - Chief Privacy Officer for Education" [2] also calls for "(6) preparing privacy impact assessments for activities affecting privacy or security at covered organizations, and commenting on privacy impact assessments prepared by others;" And in 2013 the Oregon Senate Education and Workforce Committee heard testimony on a bill that would have also required privacy impact assessments, SB 567 [3].

HB 2710 deserves your support. I hope you will include it in a comprehensive package of bills to create a necessary structure that will ensure student data privacy and security in Oregon.

Thank you for your consideration of this testimony. Please feel free to contact me with any questions or concerns.

Sincerely,
Lisa Shultz
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[1] http://privacy.ohio.gov/Portals/0/2013%20PIA%20docs/Ohio_PIA_2013.pdf

[2] <http://educationnewyork.com/files/CPOforED-2-01.pdf>

[3] <https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/SB567>