

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Education

REVENUE: No revenue impact**FISCAL: Minimal fiscal impact, no statement issued****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Gretchen Engbring, Administrator**Meeting Dates:** 4/28, 5/5

WHAT THE MEASURE DOES: Prohibits school district employee or volunteer from posting, publishing, or making publicly available personally identifiable information in relation to results of performance-based assessment. Allows exception for posting of student-identifiable data if consent of student, or parent or guardian of student, is obtained. Declares emergency, effective July 1, 2015.

ISSUES DISCUSSED:

- Intent of legislation to prevent test scores from being used punitively or to shame students
- Amendments bring the bill into compliance with the federal Family Educational Rights and Privacy Act

EFFECT OF COMMITTEE AMENDMENT:

-2 amendments (proposed) allows for posting of specified information by school district employee only if consent is given by student who is 18 years of age or older or if given by parent or guardian of student, if student is under 18.

BACKGROUND: “Personally identifiable information” refers to any data or information about students collected by schools, districts, government agencies, organizations, or companies working with schools that might reveal the identity of specific students or that could allow someone to indirectly track down the identity of students. Common forms of personally identifiable information include a student’s name, the names of parents or family members, a household address, a date or place of birth, social security numbers, student-identification numbers issued by schools or school systems, and digital files such as photographs, videos, or audio recordings, among other forms of information that may reveal a specific student’s identity. In Oregon, information security is generally governed by ORS 182.122,124, and also by compliance with the Department of Administrative Services (DAS) Information Security Policy 107-004-052. The Department of Education (ODE) is further responsible under the federal Family Educational Rights and Privacy Act (FERPA). ODE employs a Chief Information Security Officer to maintain a complete Information Security and Privacy Program.

House Bill 2715-A prohibits school district employees or volunteers from making publicly available any personally identifiable student data relating to performance-based assessments, with an exception permitted for posting this type of data if consent is obtained.

House Bill 2713-A passed out of the House with the following votes:

57 ayes

0 nays

3 excused

5/1/2015 8:36:00 AM *

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