

**Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee On Education**

**MEASURE: SB 187 A**  
**CARRIER: Rep. Frederick**

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

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**Action Date:** 06/03/15

**Action:** Do Pass.

**Meeting Dates:** 05/18, 05/27, 06/03

**Vote:**

Yeas: 5 - Doherty, Frederick, McLain, Piluso, Reardon

Nays: 4 - Barreto, Hack, Sprenger, Wilson

**Prepared By:** Richard Donovan, Committee Administrator

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**WHAT THE MEASURE DOES:**

Enacts Oregon Student Information Protection Act (OSIPA). Prohibits operator of website, service, or application designed for kindergarten through grade 12 educational purposes from engaging in targeted advertising, amassing student profiles, selling student information, or disclosing covered information. Allows limited disclosure of information made to further school purposes, to comply with legal and regulatory requirements, to participate in judicial proceedings, and to protect safety of user or integrity of application. Requires operator to implement and retain reasonable security procedures and practices, and to delete students' covered information within reasonable time of request to delete. Allows disclosure of covered student information if required by law, for legitimate research purposes, or if made to a state or local educational agency. Specifies circumstances for disclosure of information. Makes violation of Act unlawful business practice enforceable by Attorney General. Becomes effective July 1, 2016.

**ISSUES DISCUSSED:**

- Fast pace of technological development versus slow pace of policy changes
- Need to build upon protections provided by federal Family Educational Rights and Privacy Act
- Measure as based upon student privacy legislation in California
- Work done by Student Data Privacy Work Group
- Policy implications of, concerns with, "recommendation engines"
- Benefits of and concerns with potential parental consent "opt-in/-out" option
- Concern with potential sale of student information; measure intended to prevent such a sale
- Industry concerns with legislation
- Desire to see more work done on bill, including potential adoption of amendments
- Commitment to continued discussion of topic throughout the interim

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

The U.S. Census Bureau estimates that there are over 860,000 children in Oregon. Over 550,000 of those children are enrolled in public kindergarten through grade 12 schools. Schools are increasingly utilizing online and mobile applications to enhance learning and provide feedback on student performance. As applications and software become more integrated into the classroom, concerns have been raised about the safety and use of the data collected through such applications.

Senate Bill 187-A requires providers of educational applications or websites to provide reasonable security for student information. It prohibits selling student information, amassing student profiles, and targeting advertisements to students through the sites or applications. Violations of the provisions of the measure are a violation of the Unlawful Trade Practices Act, enforceable by the Attorney General.