

# House Bill 2711

Sponsored by Representative FREDERICK (Presession 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 **as introduced**.

Establishes standards relating to personal identifying information that State Board of Education must follow when adopting rules related to student education records.

Declares emergency, effective July 1, 2015.

## A BILL FOR AN ACT

1  
2 Relating to student education records; amending ORS 326.565; and declaring an emergency.

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

4 **SECTION 1.** ORS 326.565 is amended to read:

5 326.565. (1) The State Board of Education shall adopt by rule standards for the creation, use,  
6 custody and disclosure, including access, of student education records that are consistent with the  
7 requirements of applicable state and federal law. **The standards adopted by rule under this sub-**  
8 **section must:**

9 (a) **Require that personal identifying information collected about a student and retained**  
10 **in the student education record be used only for the educational benefit of the student;**

11 (b) **Prohibit the disclosure of student personal identifying information to individuals who**  
12 **are not directly responsible for the student's education program;**

13 (c) **Require that student information collected for general or individual student research**  
14 **or evaluation purposes be collected and used in compliance with applicable state and federal**  
15 **law; and**

16 (d) **Require that student personal identifying information be removed from the student**  
17 **education record when the student personal identifying information is no longer needed for**  
18 **the purposes of preparing the student's education program or the student's application for**  
19 **employment or application to a post-secondary institution of education.**

20 (2) The [*state*] board shall distribute the rules that are adopted to all school districts. The school  
21 districts shall make those rules available to the public schools in the district and to the public.

22 (3) The [*state*] board may differentiate the standards applicable to persons 18 years of age or  
23 older or enrolled in post-secondary institutions.

24 (4) The standards shall include requirements under which public and private schools and edu-  
25 cation service districts transfer student education records pursuant to ORS 326.575.

26 **SECTION 2.** **This 2015 Act being necessary for the immediate preservation of the public**  
27 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
28 **July 1, 2015.**

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**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.