

HB 1157 -- STUDENT DATA PRIVACY (Lair)

COMMITTEE OF ORIGIN: Committee on Elementary and Secondary Education

This bill requires the State Board of Education within the Department of Elementary and Secondary Education to adopt a rule on student data accessibility, transparency, and accountability in the statewide longitudinal data system that:

- (1) Creates and makes available a data inventory and index of data elements that include any personally identifiable student data required to be reported by the state or federal education mandates and any other individual student data proposed to be included in the system with a statement regarding the purpose for the proposed collection;
- (2) Requires the department to develop policies to comply with all relevant state and federal privacy laws and policies restricting access to personally identifiable data to specified persons and agencies and to develop procedures for the approval of data requests;
- (3) Prohibits the transfer of personally identifiable data unless provided by law and authorized by adopted policies;
- (4) Requires the development of a detailed data security plan with specified elements;
- (5) Ensures the department's compliance with privacy laws and policies;
- (6) Ensures that any contract for databases, assessments, or instructional supports that include student or redacted data outsourced to private vendors contain privacy safeguards and security that include a prohibition on a vendor selling student data or using student data in furtherance of advertising and penalties for noncompliance; and
- (7) Notifies the Governor and General Assembly each year of new data proposed for inclusion in the system and changes to existing data collections.

The bill also prohibits the department and school districts from reporting individual student data from juvenile court delinquency records, criminal records, biometric information, political affiliation, or religion.

PROPONENTS: Supporters say that the personally identifiable data

of students and teachers must be protected from inappropriate sharing and use. The bill is a common sense approach.

Testifying for the bill were Representative Lair; Missouri Education Reform Council; Missouri Family Network; and Missouri National Education Association.

OPPONENTS: Those who oppose the bill say that it is a bad idea to assign responsibility for protection procedures to the same entity that is handling the data.

Testifying against the bill were Concerned Women for America of Missouri; Concerned Women for America; Ann Gassel; Gretchen Logue; and Mary R. Byrne.