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MEMORANDUM

To: Chairman Highland and Members of the House Education Committee
From: Nick Myers, Assistant Revisor of Statutes
Date: February 10, 2016
Subject: House Bill 2588

House Bill 2588 concerns the Student Data Privacy Act.

HB 2588 requires all student data, which is electronically stored, maintained, disclosed or transferred, to be encrypted. In addition, all data sharing agreements with outside agencies or entities must stipulate that student data shall be encrypted by such outside agency or entity. Encryption at the 256 bit level is required.

HB 2588 requires school districts to adopt written student data access policies that: (1) provides which school personnel are authorized to access, manage or use student data; (2) defines the responsibilities of such personnel; (3) provides individualized access privileges and restrictions based on the access needed by school personnel to perform their assigned duties; and (4) requires personnel to receive training on such student data access policy.

HB 2588 requires schools to receive parental written consent before schools can send directory information to an enhancement vendor that provides photography services, class ring services, yearbook publishing services, memorabilia services or other substantially similar services.

The bill also requires the State Board of Education to include compliance with the student data privacy act as a factor in the accreditation system for schools.