

HOUSE BILL No. 2588

By Committee on Education

2-2

1 AN ACT concerning schools; relating to the student data privacy act;
2 concerning the school performance accreditation system; amending
3 K.S.A. 2015 Supp. 72-6216, 72-6217 and 72-6479 and repealing the
4 existing sections.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2015 Supp. 72-6216 is hereby amended to read as
8 follows: 72-6216. As used in K.S.A. 2015 Supp. 72-6215 through 72-
9 6223, and amendments thereto:

10 (a) "Aggregate data" means data collected or reported at the group,
11 cohort or institutional level and which contains no personally identifiable
12 student data.

13 (b) "Biometric data" means one or more measurable biological or
14 behavioral characteristics that can be used for automated recognition of an
15 individual, such as fingerprints, retina and iris patterns, voiceprints, DNA
16 sequence, facial characteristics and handwriting.

17 (c) "Department" means the state department of education.

18 (d) "Directory information" means a student's name, address,
19 telephone listing, participation in officially recognized activities and
20 sports, weight and height if the student is a member of an athletic team,
21 and degrees, honors or awards received.

22 (e) "Educational agency" means a school district or the department.

23 (f) "Encrypted" means the use of a cryptographic algorithm with a
24 256 bit key length to protect electronic data that follows the advanced
25 encryption standard, FIPS PUB 197, issued by the national institute of
26 standards and technology.

27 (f) (g) "School district" means a unified school district organized and
28 operated under the laws of this state.

29 ~~(g)~~ (h) "Statewide longitudinal student data system" means any
30 student data system maintained by the department, which assigns a state
31 identification number for each student who attends an accredited public or
32 private school in Kansas and uses the state identification number to collect
33 student data.

34 ~~(h)~~ (i) "Student data" means the following information contained in a
35 student's educational record:

36 (1) State and national assessment results, including information on

(c) "Cloud computing service" means a service that provides account-based access to online electronic data storage resources.

And by redesignating subsections accordingly

1 101, 65-118 and 65-202, and amendments thereto, provided such
2 information is disclosed in accordance with any provisions of such statutes
3 regarding the confidentiality and disclosure of such information;

4 (4) any student data in order to comply with any lawful subpoena or
5 court order directing such disclosure; and

6 (5) student data to a public or private postsecondary educational
7 institution which is required by such postsecondary educational institution
8 for the purposes of application or admission of a student to such
9 postsecondary educational institution, provided that such disclosure is
10 consented to in writing by such student.

11 Sec. 3. K.S.A. 2015 Supp. 72-6479 is hereby amended to read as
12 follows: 72-6479. (a) In order to accomplish the mission for Kansas
13 education, the state board of education shall design and adopt a school
14 performance accreditation system based upon:

15 (1) Improvement in performance that reflects high academic
16 standards and is measurable; and

17 (2) *compliance with the student data privacy act, K.S.A. 2015 Supp.*
18 *72-6215 et seq., and amendments thereto.*

19 (b) The state board shall establish curriculum standards which reflect
20 high academic standards for the core academic areas of mathematics,
21 science, reading, writing and social studies. The curriculum standards shall
22 be reviewed at least every seven years. Nothing in this subsection shall be
23 construed in any manner so as to impinge upon any district's authority to
24 determine its own curriculum.

25 (c) The state board shall provide for statewide assessments in the core
26 academic areas of mathematics, science, reading, writing and social
27 studies. The board shall ensure compatibility between the statewide
28 assessments and the curriculum standards established pursuant to
29 subsection (b). Such assessments shall be administered at three grade
30 levels, as determined by the board. The state board shall determine
31 performance levels on the statewide assessments, the achievement of
32 which represents high academic standards in the academic area at the
33 grade level to which the assessment applies. The state board should specify
34 high academic standards both for individual performance and school
35 performance on the assessments.

36 (d) Each school in every district shall establish a school site council
37 composed of the principal and representatives of teachers and other school
38 personnel, parents of pupils attending the school, the business community,
39 and other community groups. School site councils shall be responsible for
40 providing advice and counsel in evaluating state, school district, and
41 school site performance goals and objectives and in determining the
42 methods that should be employed at the school site to meet these goals and
43 objectives. Site councils may make recommendations and proposals to the

(h) An educational agency shall not use any cloud computing service
to electronically store or maintain student data.