

MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Thursday, March 13, 2014

TIME: 9:00 A.M.

PLACE: Room EW41

MEMBERS: Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, McDonald, Pence, Kloc, Rubel

**ABSENT/
EXCUSED:** None

GUESTS: Marilyn Whitney and Amy Nelms, SBOE, Harold Ott, Rural Schools; Rob Winslow, IASA; Robin Nettinga and Matt Compton, IEA; Luci Willits and Tom Luna, SDE

Chairman DeMordaunt called the meeting to order at 9:00 a.m.

MOTION: **Rep. Kloc** made a motion to approve the minutes of the March 11, 2014 meeting. **Motion carried by voice vote.**

S 1372: **Sen. Goedde** explained **S 1372** is patterned after a student privacy bill passed by the Oklahoma State Legislature. He said the protection of student information is a paramount duty of the State of Idaho and its local school districts. It must be balanced with the need for information to inform education decision making. It provides definitions, sets forth the procedure for sharing information, sets forth the procedure for changing data collected, and requires reporting to the legislature. It mandates that the Office of the State Board of Education (SBOE) develop model policy for districts and requires districts to develop their own data security policy. Sen. Goedde indicated **S 1372** contains an emergency clause making it possible to go into effect as soon as it is signed by the Governor.

In response to a question regarding the necessity of an emergency clause, **Sen. Goedde** said it is imperative that we assure student data is protected. To further questions, he said the SDE and SBOE shall ensure that any and all private vendors employed or otherwise engaged by the Board or the Department shall comply with the provisions of privacy in **S 1372**. He also stated data can be shared with educational institutions in other states when there is a transfer between schools and/or when a student applies to a post secondary school.

Responding to additional questions from the committee, **Sen. Goedde** said the data currently in the system is protected. The difference is that data prior to passage of the bill is in protected status. After the passage of **S 1372**, future data will also be protected, but will be reported to the legislature. He explained the limited data shared between schools and the Department of Labor is mostly individual data of college attendance and employment. He said the aggregate data would be of little value. Sen. Goedde also explained individual data is more protected than the aggregate data and measures have been taken to ensure privacy of small groups of aggregate data so specific socio-economic or geographic areas are undetectable.

Joyce Popp, State Department of Education (SDE), and **Marilyn Whitney**, SBOE, were called to respond to a question regarding student data being passed between agencies. Ms. Popp said SDE does not share any information. Ms. Whitney said SBOE has a memorandum of understanding to share limited data with the Department of Labor for matching purposes.

Responding to questions from the committee, **Sen. Goedde** said in order to receive federal education dollars, the federal survey collects 400 points of data. He said it is all aggregate data except for the portion designated as "migrant." The migrant children are tracked individually in order to assure linkage between the various states of migrant student educational records. To another question regarding specific data shared with the Department of Labor, Sen. Goedde read from an e-mail sent by **Bob Fick**, spokesman for the Department of Labor, stating their collection of data includes demographic information, name, date of birth, and gender. All data is given a randomly generated identifier. To further questions, **Chairman DeMordaunt** pointed members of the committee to page 3, line 9 of **S 1372** which explains what a student's educational record shall not include.

MOTION: **Rep. Boyle** made a motion to send **S 1372** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Horman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:27 a.m.

Representative DeMordaunt
Chair

Jean Vance
Secretary