

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Bill No. 523, Page 1 Section A, Line 2, by inserting after all of said section and
2 line the following:

3
4 "161.108. 1. The state board of education shall adopt a rule regarding student data
5 accessibility, transparency, and accountability relating to the statewide longitudinal data system.
6 Such rule shall require the department of elementary and secondary education to:

7 (1) Create and make publicly available a data inventory and index of data elements with
8 definitions of individual student data fields in the student data system, including but not limited to:

9 (a) Any personally identifiable student data required to be reported by state and federal
10 education mandates; and

11 (b) Any other individual student data which has been proposed for inclusion in the student
12 data system with a statement regarding the purpose or reason for the proposed collection;

13 (2) Develop policies to comply with all relevant state and federal privacy laws and policies,
14 including but not limited to the Federal Educational Rights and Privacy Act (FERPA) and other
15 relevant privacy laws and policies, and shall include but not be limited to:

16 (a) Access to personally identifiable student data in the statewide longitudinal data system
17 shall be restricted to:

18 a. The authorized staff of the department of elementary and secondary education and the
19 contractors working on behalf of the department who require such access to perform their assigned
20 duties as required by law;

21 b. District administrators, teachers, and school personnel who require such access to perform
22 their assigned duties;

23 c. Students and their parents; and

24 d. The authorized staff of other state agencies in the state of Missouri as required by law and
25 governed by interagency data-sharing agreements;

26 (b) Development by the department of elementary and secondary education of criteria for the
27 approval of research and data requests from state and local agencies, researchers working on behalf
28 of the department, and the public;

29 (3) Prohibit the transfer of personally identifiable student data, unless otherwise provided by
30 law and authorized by policies adopted under this section;

31 (4) Develop a detailed data security plan that includes:

32 (a) Guidelines for authorizing access to the student data system and to individual student
33 data, including guidelines for authentication of authorized access;

34 (b) Privacy compliance standards;

35 (c) Privacy and security audits;

36 (d) Breach planning, notification, and procedures;

Action Taken _____ Date _____

- 1 (e) Data retention and disposition policies; and
2 (f) Data security policies, including electronic, physical, and administrative safeguards such
3 as data encryption and training of employees;
4 (5) Ensure routine and ongoing compliance by the department of elementary and secondary
5 education with FERPA, other relevant privacy laws and policies, and the privacy and security
6 policies and procedures developed under the authority of this section, including the performance of
7 compliance audits;
8 (6) Ensure that any contracts that govern databases, assessments, or instructional supports
9 which include student or redacted data and are outsourced to private vendors include express
10 provisions that safeguard privacy and security, including provisions that prohibit private vendors
11 from selling student data or from using student data in furtherance of advertising, and include
12 penalties for noncompliance, except to a local service provider for the limited purpose authorized by
13 the school or district whose access to student data, if any, is limited to "directory information" as that
14 term is defined in the federal regulations implementing the federal Family Rights and Privacy Act
15 (FERPA), 20 U.S.C. 1232g; and
16 (7) Notify the governor and the general assembly annually of the following:
17 (a) New student data proposed for inclusion in the state student data system; and
18 (b) Changes to existing data collections required for any reason, including changes to federal
19 reporting requirements made by the United States Department of Education.
20 2. The department of elementary and secondary education shall not collect, nor shall school
21 districts report the following individual student data:
22 (1) Juvenile court delinquency records;
23 (2) Criminal records;
24 (3) Student biometric information;
25 (4) Student political affiliation; or
26 (5) Student religion."; and
27

28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.