

HOUSE BILL NO. HB0008

Student data privacy, security and transparency.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to education; amending requirements of
2 state data security plan to ensure privacy of student data
3 collected; requiring policies for the collection, access,
4 privacy, security and use of student data by school
5 districts; accordingly requiring school districts to adopt
6 and enforce policies for the collection, access, privacy,
7 security and use of student data; and providing for an
8 effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 21-2-202(a)(xxxiv)(intro), (H), (J),
13 by creating new subparagraph (K) and by creating a new
14 paragraph (xxxvii) and 21-3-110(a) by creating a new
15 paragraph (xxxv) are amended to read:

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1 **21-2-202. Duties of the state superintendent.**

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3 (a) In addition to any other duties assigned by law,
4 the state superintendent shall:

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6 (xxxiv) With the department of enterprise
7 technology services, establish criteria for the collection,
8 storage, management and reporting of department of
9 education data ~~related~~ including, but not limited to
10 teacher certification, statewide education accountability
11 and assessment and the administration of the school finance
12 system. In carrying out this paragraph, the state
13 superintendent and the department of enterprise technology
14 services shall develop a data privacy and security plan
15 that includes:

16

17 (H) Prohibition of the sale or trade of
18 student data to private entities or organizations; ~~and~~

19

20 (J) All personally identifiable student
21 information being reported to the department of education
22 or the department of enterprise technology by a student's

1 Wyoming student record identification and locator number as
2 issued by the department of education;~~;~~ and

3
4 (K) Standards and protocols to remove
5 personally identifiable information in order to provide for
6 data collection and analysis without disclosing the
7 identity of the student whose data is being collected and
8 used.

9
10 (xxxvii) In consultation with the department of
11 enterprise technology, the department of audit and school
12 districts, establish and maintain guidelines for school
13 districts for the collection, access, privacy, security and
14 use of student data by school districts. The guidelines
15 shall, at a minimum, be in compliance with the federal
16 Family Educational Rights and Privacy Act and other
17 relevant federal and state laws and include the following:

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19 (A) Authorization and authentication
20 mechanisms for accessing student data;

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1 (B) Administrative, physical and logical
 2 security safeguards, including employee training and data
 3 encryption;

4
 5 (C) Privacy and security compliance
 6 standards;

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 8 (D) Processes for identification of and
 9 response to data security incidents, including breach
 10 notification and mitigation procedures;

11
 12 (E) Standards for retention and verified
 13 destruction of student data.

14
 15 **21-3-110. Duties of boards of trustees.**

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 17 (a) The board of trustees in each school district
 18 shall:

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 20 (xxxv) Effective school year 2017-2018, adopt
 21 and enforce a policy regarding the collection, access,
 22 privacy, security and use of student data in accordance

1 with guidelines established by the state superintendent
2 under W.S. 21-2-202(a)(xxxvii).

3

4 **Section 2.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law
6 as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9

(END)