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2015 SESSION

15-0985
04/05

HOUSE BILL   *507*

AN ACT   relative to teacher personally-identifiable data.

SPONSORS: Rep. Cordelli, Carr 4; Rep. Boehm, Hills 20; Rep. Grenier, Sull 7; Rep. Massimilla, Graf 1; Rep. Harris, Rock 9; Rep. V. Sullivan, Hills 16; Rep. Adams, Hills 26; Rep. Kappler, Rock 3; Sen. Avard, Dist 12

COMMITTEE: Education

ANALYSIS

This bill adds provisions relating to the protection of teacher personally-identifiable data and a provision governing the recording of a classroom.

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Explanation: Matter added to current law appears in **bold italics.**
Matter removed from current law appears [in brackets and struckthrough.]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

1   71:1 Student Information Protection and Privacy. Amend the subdivision heading preceding

2   RSA 189:65 to read as follows:

3   Student *and Teacher* Information Protection and Privacy

4   71:2   New Paragraph; School Boards; Definitions.   Amend RSA 189:65 by inserting after

5   paragraph VII the following new paragraph:

6   VII-a.   "Teacher personally-identifiable data" or "teacher data," which shall apply to

7   teachers, paraprofessionals, principals, school employees, contractors, and other administrators,

8   means:

9   (a) Social security number.

10   (b) Date of birth.

11   (c) Personal street address.

12   (d) Personal email address.

13   (e) Personal telephone number.

14   (f) Performance evaluations.

15   (g)   Other information that, alone or in combination, is linked or linkable to a specific

16   teacher, paraprofessional, principal, or administrator that would allow a reasonable person in the

17   school community, who does not have personal knowledge of the relevant circumstances, to identify

18   any with reasonable certainty.

19   (h) Information requested by a person who the department reasonably believes or knows

20   the identity of the teacher, paraprofessional, principal, or administrator to whom the education

21   record relates.

22   71:3 Student Information Protection and Privacy; Limits on Disclosure of Information. Amend

23   RSA 189:67, III-IV to read as follows:

24   III. Neither a school nor the department shall disclose or permit the disclosure of student *or*

25   *teacher* personally-identifiable data, the unique pupil identifier, or any other data listed in

26   RSA 189:68, I to any testing entity performing test-data analysis. The testing entity may perform

27   the test analysis but shall not connect such data to other student data.

28   IV. Except as provided in RSA 193-E:5, or pursuant to a court order signed by a judge, the

29   department shall not disclose student personally-identifiable data in the SLDS *or teacher*

1   *personally-identifiable data in other department data systems* to any individual, person,

2   organization, entity, government or component thereof, but may disclose such data to the school

3   district in which the [student's] *student* resides *or the teacher is employed*.

4   71:4 New Paragraph; Student Information Protection and Privacy; Student Privacy. Amend

5   RSA 189:68 by inserting after paragraph III the following new paragraph:

6   IV. No school shall record in any way a school classroom for any purpose without school

7   board approval after a public hearing, and without written consent of the teacher and the parent or

8   legal guardian of each affected student.

9   71:5 Effective Date. This act shall take effect 60 days after its passage.

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11   Approved: June 2, 2015

12   Effective Date: August 1, 2015