

2022 -- S 2954

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO EDUCATION -- THE RHODE ISLAND EDUCATIONAL RECORDS BILL
OF RIGHTS

Introduced By: Senator Sandra Cano

Date Introduced: May 19, 2022

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-71 of the General Laws entitled "The Rhode Island Educational
2 Records Bill of Rights" is hereby amended by adding thereto the following section:

3 **16-71-7. Educational records access -- By community-based organizations.**

4 (a) When a community-based organization (CBO) offers support or other programs to
5 students in a school, the local education agency (LEA) in which the CBO is operating is authorized
6 to supply the CBO with individual-level student data, provided the following circumstances are
7 met:

8 (1) There shall be a written service agreement between the LEA and CBO, pursuant to
9 subsection (b) of this section;

10 (2) The data shall be related to furthering the goal(s) of the program. This may include, but
11 is not limited to, data concerning a student's attendance, course schedule, demographics, discipline,
12 grades, and test results;

13 (3) LEAs shall use reasonable security methods to ensure that personally identifiable
14 student data is protected, and shall only be accessed by authorized CBOs; and

15 (4) LEAs implement a procedure for parents or guardians who do not want their student's
16 data shared to have it excluded from the information that may be shared with a CBO.

17 (b) For the purposes of this section, the written service agreement between an LEA and
18 CBO shall include, but is not limited to, the following elements:

- 1 (1) A list or description of the specific data the LEA may provide to the CBO;
2 (2) The circumstances under which the data may be provided;
3 (3) The purpose(s) for which the data may be used;
4 (4) A requirement that the CBO destroy all personally identifiable information when the
5 information is no longer needed for the purposes for which it was collected;
6 (5) A procedure for the LEA to rescind the CBO's access to student data for violations of
7 the service agreement or other misuse, as defined in the agreement; and
8 (6) Assurances regarding how the CBO shall comply with subsection (c) of this section.
9 (c) Any CBO that receives data pursuant to this section:
10 (1) Shall not sell, give, or otherwise provide student data to any unauthorized individual or
11 organization at any time, regardless of whether the student has reached the age of majority or is no
12 longer enrolled in the school or school district;
13 (2) Shall ensure that its administrative policy for controlling access to student data is
14 effective and does not permit personal identification of students by anyone other than
15 representatives of the CBO with legitimate interests. Such controls may include, but are not limited
16 to, physical or technological access limitations; and
17 (3) Shall only use the personally identifiable student information to meet the purpose or
18 purposes stated in the written service agreement.

19 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- THE RHODE ISLAND EDUCATIONAL RECORDS BILL
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1 This act would authorize a local education agency (LEA) to supply a community-based
2 organization (CBO), when a (CBO) is offering support or other programs, with individual-level
3 student data, provided certain criteria are met. Additionally, this act would mandate that no (CBO)
4 would be authorized to sell, give, or otherwise provide student data to an unauthorized individual
5 or organization.

6 This act would take effect upon passage.

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