

# SENATE BILL REPORT

## ESSB 5274

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As Passed Senate, March 12, 1997

**Title:** An act relating to disclosure of students' social security numbers.

**Brief Description:** Limiting disclosure of students' social security numbers.

**Sponsors:** Senate Committee on Education (originally sponsored by Senators Schow, Hochstatter, Zarelli, Stevens, Strannigan, Rasmussen, Deccio, Benton, Roach, Horn and Winsley).

**Brief History:**

**Committee Activity:** Education: 2/6/97, 2/21/97 [DPS].  
Passed Senate, 3/12/97, 45-4.

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5274 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hochstatter, Chair; Finkbeiner, Vice Chair; Johnson and Zarelli.

**Staff:** Susan Mielke (786-7422)

**Background:** Federal law (the Privacy Act of 1974) requires all governmental agencies requesting the disclosure of an individual's social security number to notify the individual of the following: (1) whether disclosure of the number is required or optional; (2) which authority permits the agency to request disclosure of the number; (3) how the number will be used; and (4) the consequences for failure to provide the number.

Currently, state laws do not provide limitations on a public school's request for disclosure of a student's social security number.

**Summary of Bill:** School districts are prohibited from requesting a student's social security number, except for Medicaid reimbursement purposes or when explicitly required by federal law. When a school district requests disclosure of a student's social security number, the school must use a form that contains a disclosure statement and is signed by the parent or guardian. The disclosure statement must include the specific purpose for the request and the consequences for not providing the number. It is unlawful for a public school to deny a student any right, benefit, or privilege if a student or parent refuses to disclose the social security number.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Many school districts are requesting the disclosure of students' social security numbers and not following the notice requirements of federal law. Since a person's social security number is a key to personal and confidential information, school districts should be prohibited from requesting it. They don't need it. If districts need to use numbers for testing or tracking purposes, they can generate numbers and assign them to students. Enforcement provisions should be added to penalize districts who continue to illegally request a student's social security number.

**Testimony Against:** None.

**Testified:** PRO: Scott Allen; Marda Kirkwood, Citizens United for Responsible Education; Cyndy Lelli; Cheryle Meyers; Jerry Sheehan, ACLU; Janeane Dubuar, Computer Professionals for Social Responsibility.

**House Amendment(s):** If a school district requests a student's social security number, the district must cite the law requiring the disclosure of the social security number. If the student is an employee of the school district, the district may request a student's social security number for employment purposes, if the employment records containing the number are maintained separately from other records of the student. Parental consent to disclose a student's social security number for one purpose does not constitute consent to disclose for another purpose. No school employee may release a student's social security number to any public or private party without the written consent of the student or the student's parent.