

HOUSE BILL REPORT

SHB 1381

As Passed House:

March 12, 2001

Title: An act relating to identification of students at institutions of higher education.

Brief Description: Requiring institutions of higher education to use personal identifiers that are not social security numbers.

Sponsors: By House Committee on Higher Education (originally sponsored by Representatives Mulliken, Rockefeller, G. Chandler, Skinner, Dunn, Lantz, Doumit, Cox, Keiser, Pearson, Schoesler, Ruderman, Schual-Berke and Lambert).

Brief History:

Committee Activity:

Higher Education: 2/9/01, 2/26/01 [DPS].

Floor Activity:

Passed House: 3/12/01, 98-0.

Brief Summary of Substitute Bill

- Prohibits public institutions of higher education from using student's social security numbers as personal identifiers except for the purpose of financial aid, employment, research, assessment, accountability and transcripts or as otherwise required by federal law.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Cox, Republican Co-Chair; Kenney, Democratic Co-Chair; Gombosky, Democratic Vice Chair; Jarrett, Republican Vice Chair; Dunn, Fromhold, Lantz and Skinner.

Staff: Tracey Taylor (786-7196).

Background:

The crime of identity theft is an increasing threat to the credit and good name of the citizens of this state. This crime occurs when the information about the victim's identity,

such as date of birth, social security number and driver's license, is stolen and used to establish credit and make purchases, leaving the victim accountable for defaults in payments and a ruined credit history.

According to the Washington State Attorney General's January 10, 2000 report from the consumer privacy workgroup, an estimated 500,000 people per year become a victim of identity theft. The Federal Trade Commission, in a 1999 report to Congress, indicated there were 1,153 investigations of social security misuse in 1997.

The Family Education and Privacy Rights Act of 1974 (20 USC §1232g) protects the accuracy and confidentiality of student records. Any educational institution receiving federal funds is prohibited from permitting the release of education records or personally identifiable information contained in the records of students without the written consent of the student or student's parents. However, this information can be released without written consent to other school officials, including teachers within the educational institution, who have a legitimate educational interest in the information.

Summary of Bill:

Institutions of higher education must not use students' social security numbers as personal identifiers, except for financial aid, employment, research, assessment, accountability, and transcripts or as otherwise required by state or federal law.

The institutions are charged with developing an alternative system of unique personal identifiers that does not use a student's social security number for grading and other administrative purposes.

The Higher Education Coordinating Board, the State Board for Community and Technical Colleges and the institutions of higher education must submit a report to the Legislature by December 1, 2001, outlining each institution's new personal identifier system.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed except section 2 which takes effect July 1, 2002.

Testimony For: Too many people can easily get a student's personal information, such as a social security number. In fact, some schools put a student's social security number on their student identification card. Moreover, students in this state have been the victim of identity theft as the result of current policies. The current practices of some of the

public institutions of higher education are punitive to those students who want to take steps to protect their identity and not give out their social security number.

(With concerns) There are processes in place at the institutions to protect the dissemination of personal information, such as social security numbers. Research, accountability and reports require the schools to use personal information; therefore, some exceptions to allow such legitimate uses need to be added to this bill.

Testimony Against: None.

Testified: (In support) Representative Mulliken, prime sponsor; Kyle Lynch and Toni Ryan, Washington Student Lobby; David Roman, Olympic College; and Mike Johnson, Associated Students of Eastern Washington University.

(With concerns) Mary Conley Law, Washington Association of Independent Colleges and Universities and St. Martin's College; Terry Teale, Council of Presidents; Carolyn Busch, University of Washington; Jan Yoshiwara and David Prince, State Board for Community and Technical Colleges; and Ellen Saunders O'Brien, Workforce Training and Education Coordinating Board.