

# SENATE BILL REPORT

## SB 6263

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As Amended by House, March 3, 2020

**Title:** An act relating to a model educational data sharing agreement between school districts and tribes.

**Brief Description:** Creating a model educational data sharing agreement between school districts and tribes.

**Sponsors:** Senators McCoy, Wellman, Kuderer, Hasegawa, Lovelett, Wilson, C., Das, Nguyen and Hunt.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/29/20, 2/07/20 [DP].

**Floor Activity:**

Passed Senate: 2/13/20, 46-0.

Passed House: 3/03/20, 96-0.

**Brief Summary of Bill**

- Requires the Washington State School Directors' Association (WSSDA), in consultation with tribes, to develop a model policy and procedure to establish data sharing agreements between school districts and local tribes by January 1, 2021.
- Directs WSSDA, when developing a policy and procedure, to consult with various organizations, consider model agreements, and consider standards for the identification of Native students for data sharing purposes.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Padden, Pedersen, Salomon and Wagoner.

**Staff:** Benjamin Omdal (786-7442)

**Background:** Washington State School Directors' Association. This organization is comprised of the 1477 school board members from Washington's 295 public school districts.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The WSSDA provides materials and educational services to its members, including model policies and procedures.

Family Educational Rights and Privacy Act. This federal act, known as FERPA, protects the privacy of student education records. The law applies to all schools receiving federal funds for a United States Department of Education program. FERPA allows schools to disclose information from a student's education record, without consent, only to certain parties or under certain conditions. A school may disclose information in a student's record, without consent, to authorized representatives of state and local educational authorities for audit or evaluation of federal or state supported education programs.

**Summary of Bill:** WSSDA shall develop a model policy and procedure to establish data sharing agreements between school districts and local tribes by January 1, 2021. When developing the policy, WSSDA must:

- consult with the Office of the Superintendent of Public Instruction, the Office of Native Education, the Tribal Leaders Congress on Education, and local tribes;
- consider model agreements developed by the Bureau of Indian Education and model data sharing agreements and procedures developed by national Native educational organizations; and
- consider standards for the identification of Native students for data sharing purposes.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: Tribal consultation and work between various governmental bodies is important in creating opportunities for all students in Washington. This type of collaboration is the continuation of work that has benefited tribal students across the state.

**Persons Testifying:** PRO: Senator John McCoy, Prime Sponsor; Rodney Cawston, Chairman, Confederated Tribes of the Colville Reservation; Laura Lynn, OSPI; Cindy Kelly, Washington State School Directors' Association/Tribal Ambassador.

**Persons Signed In To Testify But Not Testifying:** No one.

**EFFECT OF HOUSE AMENDMENT(S):** Requires the model policy and procedure developed under the bill to safeguard students' personally identifiable information consistent with the requirements of the federal Family Education Rights and Privacy Act.