

# FINAL BILL REPORT

## SSB 6053

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Synopsis as Enacted

**Brief Description:** Improving equitable access to postsecondary education.

**Sponsors:** Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Holy, Lovick, Mullet, Nguyen, Shewmake, Valdez and Wilson, C.; by request of Student Achievement Council).

**Senate Committee on Higher Education & Workforce Development**  
**House Committee on Postsecondary Education & Workforce**

**Background:** Higher Education Data-Sharing Agreements. In 2023, the Legislature required public institutions of higher education to enter into data-sharing agreements with the Office of the Superintendent of Public Instruction (OSPI) to facilitate the transfer of high school student directory information to inform Washington high school students of postsecondary educational opportunities available in the state.

Data-sharing agreements must provide for the sharing of student enrollment and outcome information from institutions of higher education to OSPI and must include the statewide identifier for each student. To the extent feasible, OSPI must transmit student enrollment information to the enrolled students' host districts for the current year and identify a process for making this information available to school districts by the 2025-26 school year.

Beginning in 2024, each school district that operates a high school must annually transmit directory information of all enrolled high school students to OSPI by November 1st. OSPI must hold this information and make the information available to the state's public institutions of higher education.

Agreements entered into between institutions of higher education and OSPI must obligate institutions that will receive information through an agreement to maintain the statewide student identifier for each student.

Data-sharing agreements entered into by a community or technical college (CTC) are

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limited to informing Washington high school students of postsecondary educational opportunities available within a college's service district.

The State Board for Community and Technical Colleges (SBCTC) may coordinate with all CTCs to develop a single data-sharing agreement between the CTCs and OSPI.

When transmitting student information, school districts must comply with consent procedures under state and federal law as well as all applicable rules and regulations.

Washington Student Achievement Council. The Washington Student Achievement Council (WSAC) was created as a state agency in 2012. WSAC was charged to assume some of the remaining functions of its predecessor, the Higher Education Coordinating Board, and to propose higher education goals and strategic action planning. The executive director of WSAC is appointed by the Governor who chooses from a list of names provided by WSAC.

The Family Educational Rights and Privacy Act. The Family Educational Rights and Privacy Act (FERPA) is a federal law that governs the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the United States Department of Education.

The law generally gives parents and guardians the right to inspect and review the student's education records and requires schools to obtain written permission from parents before disclosing any information from a student's educational record. Schools may disclose certain directory information without consent. Under federal law and regulations, directory information includes, among other items, the student's name, address, telephone number, date and place of birth, and electronic mail address.

Federal regulations under FERPA require that any educational agency or institution disclosing directory information must give public notice to parents or guardians about the following:

- the type of information it has designated as directory information;
- that a parent has a right to refuse to let the agency or institution designate any or all of those types as directory information; and
- the period of time in which the parent has to notify that they do not wish that information to be designated as directory.

The rights of parents and guardians under FERPA transfer to the student upon the student becoming 18 years of age. The board of directors of school districts are required under state law to establish a procedure for granting release requests by a parent or guardian for access to education records of their child and prohibiting the release of information without written consent including what information is being requested, who is requesting the information and why, and what will be done with the information.

Education Research and Data Center. The Education Research and Data Center (ERDC) is

housed within the Office of Financial Management and maintains the state's preschool to grade 20 workforce longitudinal data system, known as the P20W warehouse. ERDC also houses financial aid data and apprenticeship data. ERDC links education and workforce data from multiple state agencies through an identity matching process, and works with the education research community to fulfill data requests, create dashboards, and conduct research to better understand the education systems in the state.

**Summary:** WSAC must enter into data-sharing agreements with OSPI to facilitate the transfer of high school student directory information. Accordingly, OSPI must make the information collected from school districts available for WSAC.

The purpose of the data-sharing agreements for WSAC and institutions of higher education is modified to include postsecondary financial aid opportunities in addition to educational opportunities. Data-sharing agreements entered into for these purposes must provide for the ERDC to share student enrollment and outcome information from institutions of higher education to OSPI.

Agreements entered into between WSAC and OSPI must obligate WSAC to maintain the statewide student identifier for each student.

**Votes on Final Passage:**

Senate	48	1	
House	85	11	(House amended)
Senate	47	0	(Senate concurred)

**Effective:** June 6, 2024