



January 31, 2014

SENATE BILL No. 277

DIGEST OF SB 277 (Updated January 29, 2014 8:36 pm - DI 71)

Citations Affected: IC 20-18; IC 20-19.

Synopsis: Student information. Defines "agency". Sets forth circumstances under which an agency may release student information to a third party.

Effective: July 1, 2014.

Miller Pete, Kruse

January 13, 2014, read first time and referred to Committee on Education and Career Development.
January 30, 2014, amended, reported favorably — Do Pass.

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January 31, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 277

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-18-2-16, AS AMENDED BY P.L.190-2013,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 16. (a) "School corporation", for purposes of this
4 title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7,
5 IC 20-28-11.5, IC 20-30-8, and IC 20-43), means a public school
6 corporation established by Indiana law. The term includes a:
7 (1) school city;
8 (2) school town;
9 (3) school township;
10 (4) consolidated school corporation;
11 (5) metropolitan school district;
12 (6) township school corporation;
13 (7) county school corporation;
14 (8) united school corporation; or
15 (9) community school corporation.
16 (b) "School corporation", for purposes of IC 20-26-1 through

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1 IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.

2 (c) "School corporation", for purposes of **IC 20-19-7**, IC 20-20-33,
3 IC 20-26-18, and IC 20-30-8, includes a charter school (as defined in
4 IC 20-24-1-4).

5 (d) "School corporation", for purposes of IC 20-43, has the meaning
6 set forth in IC 20-43-1-23.

7 (e) "School corporation", for purposes of IC 20-28-11.5, has the
8 meaning set forth in IC 20-28-11.5-3.

9 SECTION 2. IC 20-19-7 IS ADDED TO THE INDIANA CODE AS
10 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2014]:

12 **Chapter 7. Transfer of Student Information**

13 **Sec. 1. As used in this chapter, "agency" refers to the**
14 **department, the state board, a school corporation, a school, or any**
15 **other entity created by statute or executive order that collects,**
16 **maintains, receives, or stores student information.**

17 **Sec. 2. As used in this chapter, "student information" means any**
18 **data collected, maintained, received, or stored by an agency in**
19 **which an individual student in kindergarten through grade 12 is**
20 **identified by name, by an assigned identification number, or in any**
21 **manner by which the identity of an individual student may be**
22 **ascertained.**

23 **Sec. 3. An agency may release, sell, or otherwise transfer**
24 **student information to an entity only under the following**
25 **circumstances:**

26 (1) **For a student who transfers to another public or nonpublic**
27 **school.**

28 (2) **For a student who attends a postsecondary educational**
29 **institution or a training program.**

30 (3) **For a student who registers for or takes part in a national**
31 **or multistate assessment.**

32 (4) **When an agency enters into:**

33 (A) **a contract that governs data bases, assessments, special**
34 **education, or instructional, management, or operational**
35 **supports with a third party;**

36 (B) **a data sharing agreement with an entity, acting on**
37 **behalf of the agency, to conduct an audit or evaluation of**
38 **a state or federally funded program; or**

39 (C) **a data sharing agreement with a researcher or**
40 **research agency to conduct research on the agency's**
41 **behalf.**

42 (5) **For a student who is classified as a migrant for federal**



1 **reporting purposes.**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 277, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-18-2-16, AS AMENDED BY P.L.190-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-28-11.5, IC 20-30-8, and IC 20-43), means a public school corporation established by Indiana law. The term includes a:

- (1) school city;
- (2) school town;
- (3) school township;
- (4) consolidated school corporation;
- (5) metropolitan school district;
- (6) township school corporation;
- (7) county school corporation;
- (8) united school corporation; or
- (9) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.

(c) "School corporation", for purposes of **IC 20-19-7**, IC 20-20-33, IC 20-26-18, and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).

(d) "School corporation", for purposes of IC 20-43, has the meaning set forth in IC 20-43-1-23.

(e) "School corporation", for purposes of IC 20-28-11.5, has the meaning set forth in IC 20-28-11.5-3."

Page 1, delete lines 5 through 13.

Page 1, line 14, delete "2." and insert "1."

Page 1, line 15, after "board," insert "**a school corporation, a school,**".

Page 2, line 2, delete "3." and insert "2."

Page 2, line 4, after "student" insert "**in kindergarten through grade 12**".

Page 2, line 7, delete "4." and insert "3."

Page 2, line 7, delete "not".

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Page 2, line 8, delete "located outside Indiana unless all" and insert **"only under the following circumstances:**

- (1) For a student who transfers to another public or nonpublic school.**
- (2) For a student who attends a postsecondary educational institution or a training program.**
- (3) For a student who registers for or takes part in a national or multistate assessment.**
- (4) When an agency enters into:**
 - (A) a contract that governs data bases, assessments, special education, or instructional, management, or operational supports with a third party;**
 - (B) a data sharing agreement with an entity, acting on behalf of the agency, to conduct an audit or evaluation of a state or federally funded program; or**
 - (C) a data sharing agreement with a researcher or research agency to conduct research on the agency's behalf.**
- (5) For a student who is classified as a migrant for federal reporting purposes."**

Page 2, delete line 9.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 277 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 0.

