

2016 -- H 7297

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO EDUCATION -- RHODE ISLAND EDUCATIONAL RECORDS BILL OF RIGHTS

Introduced By: Representatives Keable, O'Brien, Ackerman, Amore, and Regunberg

Date Introduced: January 22, 2016

Referred To: House Health, Education & Welfare

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-71 of the General Laws entitled "The Rhode Island Educational
2 Records Bill of Rights" is hereby amended by adding thereto the following section:

3 **16-71-7. Accessibility of assessment materials.** – (a) Any and all materials, information,
4 or results of any kind relating to state assessment (including, but not limited to, the NECAP
5 reading and mathematics tests) required or administered in accordance with federal or state law,
6 or department rules or regulations shall be accessible to parents, legal guardians or eligible
7 students as follows:

8 (1) After the assessment results are released by the department, a parent, legal guardian,
9 or eligible student shall have the right to inspect and review the student's assessment booklet,
10 answer or response sheets, surveys, instructions or directions to the student, and any other
11 supplemental materials utilized to administer the assessment. A parent, legal guardian, or eligible
12 student shall direct a request for inspection or review to the school district, and the school district
13 shall comply with such request within forty-five (45) days of its receipt. The commissioner shall
14 adopt rules, pursuant to this chapter, to implement procedures for the review and inspection of
15 assessment materials. These rules shall provide parents and legal guardians with no fewer rights
16 accorded to them under the Family Educational and Privacy Rights Act, 20 U.S.C. 1232g.

17 (b) No personally identifiable data on students and/or their families' religion, political
18 party affiliation, psychometric data, biometric information, juvenile delinquency records, criminal

1 records, medical records, psychological or dental information, birth dates, social security
2 numbers, employment history, income level, and/or voting history shall be collected, tracked,
3 housed, stored, reported or shared with the federal government, nor provided to for-profit
4 corporations.

5 (c) Parents, legal guardians, and eligible students shall have the right to inspect his or her
6 student's records and prevent the transfer or sharing of any or all data contained in such record,
7 including student assessment results, other than for the transfer of such student to another school
8 outside the district.

9 (d) Districts may elect to grade and score any assessment or survey administered within
10 the district, aggregate student performance data, and share only aggregated student data outside
11 the district to protect student privacy.

12 (e) Districts shall not release any student data when the privacy of student data cannot be
13 guaranteed.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would ensure parental access to information, materials or results relating to state
2 assessments of students including instructions, answer sheets and assessment booklets. The act
3 would also prevent the collection and storage of personally identifiable data and personal data.

4 This act would take effect upon passage.

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