



### **SB 1209 students; data; accessibility; governance commission (Pace)**

This bill requires the Arizona Department of Education (ADE) to adopt policies and procedures to allow access to the Education Learning and Accountability System and student level data housed within ADE to county school superintendents, the State Board of Education (SBE) and the Arizona State Board for Charter Schools (ASBCS).

#### **Provisions:**

- Directs ADE to develop policies and procedures to comply with FERPA and other relevant privacy laws and policies
  - Requires these policies to include policies that manage access to personally identifiable information and that are to be implemented by ADE, county school superintendents, SBE and ASBCS.
- Requires ADE's policies and procedures to:
  - Contain a detailed data security plan that includes:
    - Guidelines for authorizing access to the systems housing student level data and individual student data
    - Privacy compliance standards
    - Privacy and security audits
    - Security breach planning, notice and procedures
    - Data retention and disposition policies, which must include specific criteria for identifying when and how the data will be destroyed
    - Guidance for school districts, charter schools and staff regarding data use
    - Consequences for security breaches
    - Staff training regarding the guidelines
  - Ensure that written agreements involving the disclosure of student level data comply with:
    - The minimum conditions prescribed by FERPA
    - Specify the purpose, scope and duration of the studies and the information to be disclosed
    - Require the organization to use personally identifiable information from educational records only to meet the purpose or purposes of the study as stated in the written agreement
    - Require the organization to conduct the study in a manner that does not allow access to the personally identifiable data of parents and students by anyone other than representatives of the organization with legitimate interests



Arizona School Boards Association

- Require the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and to specify the time period in which the information must be destroyed.
  - Ensure that any work products from the use of student level data are not in conflict with any state and federal reporting
  - Provide access to student level data through an online platform within the parameters of federal law and pursuant to the written agreements
- Adds a county school superintendent, who is appointed by the Governor, to the Data Governance Commission and extends the Commission to July 1, 2026.