

**House Study Bill 592 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON JORGENSEN)

**A BILL FOR**

1 An Act relating to core content standards, assessments,  
2 curricula relating to student academic progress, and to the  
3 collection of and access to student data.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.7, subsection 21, paragraph b, Code  
2 2014, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (03) In addition to administering  
4 any assessment of student progress required pursuant to  
5 this subsection, a school district may administer additional  
6 assessments to measure student academic progress. The results  
7 of the additional assessment may be reported to the department  
8 and the local community in accordance with paragraph "c", but  
9 the additional assessments shall not replace any district-wide  
10 assessment required pursuant to this subsection.

11 Sec. 2. Section 256.7, subsection 26, paragraph c, Code  
12 2014, is amended to read as follows:

13 c. Adopt rules authorizing the board of directors of a  
14 school district and the authorities in charge of an accredited  
15 nonpublic school to adopt core content standard appendices,  
16 including but not limited to core content test exemplars;  
17 core content sample performance tasks; core content samples  
18 of student writing; and, for grades nine through twelve,  
19 mathematics coursework. The core content standards shall  
20 not dictate curriculum or prescribe a particular method of  
21 instruction to school districts and accredited nonpublic  
22 schools. Neither the state board nor the department shall  
23 require school districts or accredited nonpublic schools  
24 to adopt a specific textbook, textbook series, or specific  
25 instructional methodology, or acquire specific textbooks,  
26 curriculum materials, or educational products from a specific  
27 vendor in order to meet the core curriculum requirements of  
28 this subsection or the core content standards adopted pursuant  
29 to subsection 28. It is the intent of the general assembly  
30 that creation and implementation of curriculum, textbooks,  
31 educational materials, and instructional methods remain with  
32 school districts and accredited nonpublic schools and not with  
33 the state or federal government.

34 Sec. 3. Section 256.9, subsection 54, Code 2014, is amended  
35 to read as follows:

1     54. a. Maintain an internet site where persons may access  
2 up-to-date information regarding the core curriculum and the  
3 core content standards adopted pursuant to section 256.7.  
4 Periodically, beginning January 1, 2015, the state board  
5 shall review, accept public comment regarding, and revise as  
6 necessary, the core curriculum and the core content standards.  
7     b. Submit an annual report to the general assembly by  
8 January February 1 regarding activities, findings, and student  
9 progress under the core curriculum established and the core  
10 content standards adopted pursuant to section 256.7, subsection  
11 26. The annual report shall include the state board's  
12 department's findings and recommendations, including but not  
13 limited to recommendations relating to any proposal to amend  
14 or modify the core curriculum and the core content standards  
15 adopted by the state board. A revision or modification to the  
16 core curriculum or to the core content standards adopted by  
17 the state board shall not be implemented by the director until  
18 the annual report has been submitted to the general assembly  
19 while the general assembly is in session or until the director  
20 appears before the standing committees of the senate and house  
21 of representatives having jurisdiction over education to report  
22 on the revision or modification, whichever occurs first.

23     Sec. 4. NEW SECTION. 256.34 Student data collection —  
24 policies and plans.

25     1. The department shall establish data collection, data  
26 privacy, and data sharing policies for data relating to  
27 students collected by the department, school districts, and  
28 accredited nonpublic schools.

29     2. The department shall annually conduct an inventory of and  
30 categorize the data collected on students and the purposes for  
31 which the data is collected, and shall report to the general  
32 assembly by November 1, 2014, and by November 1 each succeeding  
33 year, the department's findings and recommendations.

34     3. The department shall create a detailed student data  
35 security plan that includes privacy compliance standards, a

1 data breach plan, data retention or destruction plans, and  
2 guidelines for authorizing parental access to student data.

3 4. Except as otherwise provided in state or federal law, the  
4 department, school districts, and accredited nonpublic schools  
5 shall not include biometric, health, and criminal or juvenile  
6 justice records in student data files.

7 5. *a.* Student data shall be kept confidential by the  
8 department, a school district, or an accredited nonpublic  
9 school unless otherwise ordered by a court, by the lawful  
10 custodian of the records, or by another person duly authorized  
11 to release such information, and except as necessary to carry  
12 out the duties and responsibilities of the state board or the  
13 department.

14 *b.* Except as provided in paragraph "a", student data shall  
15 not be provided outside of the state unless necessary to  
16 facilitate the timely enrollment and placement of a student who  
17 is transferring to another school.

18 6. The department shall establish and maintain a policy  
19 relating to the sharing, security, and confidentiality of  
20 student data in compliance with the federal Family Educational  
21 Rights and Privacy Act, 20 U.S.C. §1232g.

22 7. The department shall notify the governor and the  
23 general assembly annually of changes to existing student data  
24 collections maintained by the department which are required  
25 for any reason, including changes in federal reporting  
26 requirements. Changes to existing student data collections  
27 which are not necessitated by changes in federal reporting  
28 requirements shall not be implemented by the department until  
29 the annual report has been submitted to the general assembly  
30 while the general assembly is in session or until the director  
31 appears before the standing committees of the senate and house  
32 of representatives having jurisdiction over education to report  
33 on the revision or modification to the existing student data  
34 collections maintained by the department, whichever occurs  
35 first.

1 8. Student data shall not be published by the department  
2 except in aggregate form.

3 9. This section shall not be construed to supersede any  
4 provision of section 22.7, section 256.9, subsection 48, or  
5 chapter 256H.

6 Sec. 5. PUBLIC COMMENT RELATING TO CORE CURRICULUM AND  
7 TO THE CORE CONTENT STANDARDS. The department of education  
8 shall initiate a process to obtain public input on the core  
9 curriculum and the core content standards adopted pursuant  
10 to section 256.7, subsections 26 and 28, shall identify  
11 opportunities to strengthen the core curriculum and the core  
12 content standards, and shall do the following:

13 1. Receive public comments on its internet site regarding  
14 the core curriculum and the core content standards.

15 2. Hold at least three public hearings regarding the core  
16 curriculum and the core content standards. The public hearings  
17 shall be held in at least three geographically diverse venues  
18 around the state.

19 3. Include information regarding the time, place, and  
20 manner in which persons may participate in a public hearing as  
21 provided in this section.

22 4. Provide public notice of any actions taken by the state  
23 board of education to strengthen, amend, or modify the core  
24 curriculum or the core content standards following the public  
25 hearings conducted pursuant to this section.

26 5. The department shall submit a report summarizing its  
27 activities, findings, and recommendations to the state board,  
28 the governor, and the general assembly by February 1, 2015.

29

#### EXPLANATION

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill relates to the core curriculum and core content  
33 standards adopted by the state board of education, to  
34 assessments of student progress, and to the collection of and  
35 access to student data.

1 ASSESSMENTS OF STUDENT ACADEMIC PROGRESS. The bill  
2 authorizes school districts to administer assessments to  
3 measure student academic progress which are in addition to the  
4 department of education-approved district-wide assessment of  
5 student progress administered for purposes of the core academic  
6 indicators in mathematics, reading, and science.

7 CORE CONTENT STANDARDS AND CORE CURRICULUM. The bill  
8 authorizes school districts and accredited nonpublic schools  
9 to adopt core content standard appendices and, for grades 9  
10 through 12, mathematics coursework. The bill provides that  
11 the core content standards shall not dictate curriculum or  
12 prescribe the method of instruction in those school districts  
13 and schools. The bill also states legislative intent that  
14 the creation and implementation of curriculum, textbooks,  
15 educational materials, and instructional methods must remain  
16 with the school districts and schools, and not with the state  
17 or federal government.

18 Under the bill, the director of the department of education  
19 must maintain an internet site where persons may access  
20 up-to-date information regarding the core curriculum and the  
21 core content standards. Periodically, beginning January 1,  
22 2015, the state board must review, accept public comments  
23 regarding, and revise as necessary, the core curriculum and  
24 core content standards.

25 The director is further directed to submit an annual report  
26 to the general assembly by February 1 regarding the activities,  
27 findings, and student progress under the core curriculum  
28 and the core content standards. The annual report shall  
29 include the department's findings and recommendations. The  
30 bill prohibits the director from implementing revisions or  
31 modifications to the core curriculum or to the core content  
32 standards adopted by the state board until the annual report is  
33 submitted to the general assembly or until after the director  
34 presents the proposed changes to the general assembly's  
35 standing committees on education.

1     STUDENT DATA. The bill directs the department of education  
2 to establish data collection, data privacy, and data sharing  
3 policies for data relating to students collected by the  
4 department, school districts, and accredited nonpublic schools.  
5 The department must annually conduct an inventory of and  
6 categorize the data collected on students and the purposes for  
7 which the data is collected, and report to the general assembly  
8 by November 1, 2014, and by November 1 each succeeding year,  
9 the department's findings and recommendations. The department  
10 must also create a detailed student data security plan that  
11 includes privacy compliance standards, a data breach plan, data  
12 retention or destruction plans, and guidelines for authorizing  
13 parental access to student data.

14     Except as otherwise provided in state or federal law, the  
15 department, school districts, and accredited nonpublic schools  
16 shall not include biometric, health, and criminal or juvenile  
17 justice records in student data files. Student data shall not  
18 be published by the department except in aggregate form.

19     Student data shall be kept confidential unless otherwise  
20 ordered by a court, by the lawful custodian of the records, or  
21 by another person duly authorized to release such information,  
22 and except as necessary to carry out the duties and  
23 responsibilities of the state board or the department. Except  
24 as provided, student data shall not be provided outside of the  
25 state unless necessary to facilitate the timely enrollment and  
26 placement of a student who is transferring to another school.

27     The department must establish and maintain a policy relating  
28 to the sharing, security, and confidentiality of student data  
29 in compliance with the federal Family Educational Rights and  
30 Privacy Act, 20 U.S.C. §1232g.

31     The department shall notify the governor and the general  
32 assembly annually of changes to existing student data  
33 collections maintained by the department which are required  
34 for any reason, including changes in federal reporting  
35 requirements. Such changes which are not necessitated

1 by changes in federal reporting requirements shall not be  
2 implemented by the department until the annual report has  
3 been submitted to the general assembly while the general  
4 assembly is in session or until the director appears before the  
5 standing committees of the senate and house of representatives  
6 having jurisdiction over education to report on the revision  
7 or modification to the existing student data collections  
8 maintained by the department, whichever occurs first.

9 The new provisions relating to student data shall  
10 not be construed to supersede any existing open records  
11 law provisions, provisions relating to the department's  
12 comprehensive management information system which are in  
13 compliance with state and federal reporting requirements, or  
14 provisions enacting the interstate compact on educational  
15 opportunity for military children.

16 PUBLIC INPUT ON CORE CURRICULUM AND CORE CONTENT STANDARDS.  
17 The department also must initiate a process to obtain public  
18 input on the core curriculum and the core content standards;  
19 shall identify opportunities to strengthen the core curriculum  
20 and the core content standards; receive public comments on  
21 its internet site regarding the core curriculum and the core  
22 content standards; hold at least three public hearings, in at  
23 least three geographically diverse venues around the state,  
24 regarding the core curriculum and the core content standards;  
25 include information regarding the time, place, and manner  
26 in which persons may participate in a public hearing; and  
27 provide public notice of any actions taken by the state board  
28 to strengthen, amend, or modify the core curriculum or the  
29 core content standards following the public hearings. The  
30 department shall submit a report summarizing its activities,  
31 findings, and recommendations to the state board, the governor,  
32 and the general assembly by February 1, 2015.