S 1322

Protecting Student Privacy Act of 2015

Congress: 114 (2015–2017, Ended)
Chamber: Senate
Policy Area: Education
Introduced: May 13, 2015
Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (May 13, 2015)
Official Text: https://www.congress.gov/bill/114th-congress/senate-bill/1322

Sponsor

Name: Sen. Markey, Edward J. [D-MA]
Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hatch, Orrin G. [R-UT]	R · UT		May 13, 2015
Sen. Kirk, Mark Steven [R-IL]	R · IL		May 13, 2015

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	May 13, 2015

Subjects & Policy Tags

Policy Area:

Education

Related Bills

No related bills are listed.

Summary (as of May 13, 2015)

Protecting Student Privacy Act of 2015

Amends the Family Educational Rights and Privacy Act of 1974 to prohibit programs administered by the Department of Education from making funds available to any educational agency or institution that has not implemented information security policies that: (1) protect personally identifiable information (PII) from education records, and (2) require each outside party to whom PII from education records is disclosed to have a comprehensive security program to protect such information.

Defines "outside party" as a person that is not an employee, officer, or volunteer of the educational agency or institution or of a government agency. Includes within such term any contractor or consultant acting as a school official or authorized representative or in any other capacity.

Prohibits such funds from being made available to any educational agency or institution that has a policy or practice of using, releasing, or providing access to PII to advertise or market a product or service.

Requires state agencies receiving such funds, and each educational agency or institution, to ensure that any outside party with access to such records: (1) provides parents access to any PII it holds about their students; (2) provides a process to challenge, correct, or delete any inaccurate, misleading, or inappropriate data through a hearing by the agency or institution providing the outside party with access; (3) maintains a record of all individuals, agencies, or organizations that have requested or obtained access to the education records of a student; and (4) has information security procedures in place.

Prohibits funds from being made available to any educational agency or institution, or any state educational agency, unless the agency or institution has a practice that: (1) promotes data minimization by meeting requests for student information with non-PII, and (2) requires that PII held by any outside party be destroyed when the information is no longer needed for the specified purpose.

Directs educational agencies and institutions to maintain a record of all outside parties which have requested or obtained access to a student's education records. Requires such record to describe the information shared and to indicate specifically the party's legitimate interest in obtaining this information.

Actions Timeline

- **May 13, 2015:** Introduced in Senate
- **May 13, 2015:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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