

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1987 Session of  
2024

INTRODUCED BY RYNCAVAGE, N. NELSON, KENYATTA AND DALEY,  
JANUARY 31, 2024

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 31, 2024

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in preliminary provisions, providing  
6 for student data security.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 130. Student Data Security.--(a) The department  
13 shall develop, in consultation with the Office of Information  
14 Technology, and update regularly, but no less than annually, a  
15 model data security plan for the protection of student data held  
16 by a school entity.

17 (b) The model student data security plan shall include:

18 (1) Guidelines for access to student data and student data  
19 systems, including guidelines for authentication of authorized  
20 access.

1 (2) Privacy compliance standards.

2 (3) Privacy and security audits.

3 (4) Procedures to follow in the event of a breach of student  
4 data.

5 (5) Data retention and disposition policies.

6 (c) The model plan and any updates shall be made available  
7 to all school entities.

8 (d) The department shall designate a chief data security  
9 officer, with any State money as made available, to assist a  
10 school entity, upon request, with the development and  
11 implementation of a student data security plan and to develop  
12 best practice recommendations regarding the use, retention and  
13 protection of student data.

14 (e) The department shall convene a working group to assist  
15 with the development of initial instructions, procedures,  
16 services, security assessments, best practices and security  
17 measures required by this section for the development of a model  
18 student data security plan. The working group shall include the  
19 Secretary of Education, the chief information officer,  
20 representatives from school entities across this Commonwealth  
21 and other parties deemed necessary by the department.

22 (f) The working group shall compile a report on or before  
23 December 1, 2025, on the cost of developing and implementing a  
24 model student data security plan. The working group shall submit  
25 the report to the chair and minority chair of the Appropriations  
26 Committee of the Senate, the chair and minority chair of the  
27 Appropriations Committee of the House of Representatives, the  
28 chair and minority chair of the Education Committee of the  
29 Senate and the chair and minority chair of the Education  
30 Committee of the House of Representatives.

1 (g) As used in this section, the following words and phrases  
2 shall have the meanings given to them in this subsection unless  
3 the context clearly indicates otherwise:

4 "Department." The Department of Education of the  
5 Commonwealth.

6 "Personally identifiable information." The term includes,  
7 but is not limited to:

8 (1) The student's name.

9 (2) The name of the student's parent or other family  
10 members.

11 (3) The address of the student or student's family.

12 (4) A personal identifier, such as the student's Social  
13 Security number, student number or biometric record.

14 (5) Other indirect identifiers, such as the student's date  
15 of birth, place of birth and mother's maiden name.

16 (6) Other information that, alone or in combination, is  
17 linked or linkable to a specific student that would allow a  
18 reasonable person in the school community, who does not have  
19 personal knowledge of the relevant circumstances, to identify  
20 the student with reasonable certainty.

21 (7) Information requested by a person who the educational  
22 agency or institution reasonably believes knows the identity of  
23 the student to whom the education record relates.

24 "School entity." A school district, intermediate unit, area  
25 career and technical school, charter school, cyber charter  
26 school or regional charter school.

27 "Student data." Personally identifiable information from  
28 student records of a school entity.

29 Section 2. This act shall take effect in 60 days.