



NDCEL Testimony in Support of HB 1357

Chairman Beard and Members of the Committee, NDCEL is expressing our strong support for House Bill 1357, which aims to reinforce the protection of student data within North Dakota school districts by having this section of code. This legislation is essential in safeguarding the rights of students and parents by ensuring that student-level data remains secure at the district level unless a formal data-sharing agreement is in place.

Student data fundamentally belongs to the parent and the student, and it is imperative that it is handled with the highest level of protection and confidentiality. The Family Educational Rights and Privacy Act (FERPA) explicitly mandates that, without a valid data-sharing agreement, student data may not be shared with state agencies. This bill aligns with federal law by requiring school districts to establish clear policies that prevent unauthorized data sharing.

We have heard from our colleagues who are already utilizing the new student information system that will replace PowerSchool (Infinite Campus), and they have raised significant concerns about the necessity of these protections. Without explicit safeguards in place, student-level data may not be adequately protected, as intended under the State Longitudinal Data System (SLDS) portion of the North Dakota Century Code. Ensuring compliance with FERPA and SLDS regulations will provide the necessary structure to protect sensitive student information.

HB 1357 provides clear guidelines that prioritize data privacy by mandating that student data should not be shared with external entities unless a formal data-sharing agreement is in effect. Furthermore, FERPA mandates such agreements to ensure compliance with federal law, and the existing SLDS portion of code was established to protect student data at the district level. Based on what we have learned about Infinite Campus, the incoming student information system, it is evident that additional safeguards must be implemented to uphold these protections.