

Personally Identifiable Data Disclosure

In response to HB 2618 (2019), this document provides information about the Oklahoma State Department of Education's administrative rules and statutes that impact the OSDE's operations. Additionally, this document outlines what personally identifiable data the OSDE collects, how that data is stored, and with whom that data is shared.

Subsection A:

- 1. Any administrative rules adopted pursuant to the Administrative Procedures Act, which the public body uses to operate**

The Oklahoma State Department of Education's (OSDE) webpage on [Administrative Rules](#) provides information on the department's administrative rules, which are published in Title 210 of the [Oklahoma Administrative Rules](#).

- 2. Any proposed administrative rules submitted by the public body pursuant to the Administrative Procedures Act**

The OSDE's webpage on [Administrative Rules](#) provides information on proposed administrative rules, including the text of each proposed rule and the rule impact statement.

- 3. Any statutes affecting the public body and its operations**

As the state educational agency in Oklahoma, the statutes most frequently impacting the work and role of the OSDE are located within [Title 70 of the Oklahoma Statutes](#).

- 4. Any statutes the public may find useful in interacting with the public body**

As the state educational agency in Oklahoma, the statutes most frequently impacting the work and role of the OSDE are located within [Title 70 of the Oklahoma Statutes](#). Additionally, the Oklahoma Open Records Act is located in



[Title 51 of the Oklahoma Statutes](#), and the [Open Meeting Act provisions within Title 25](#).

Subsection C:

The OSDE, as a public body, regularly collects, stores, and shares personally identifiable data in the following manners:

1. What personally identifiable data is being stored

Per the Student Data Accessibility, Transparency, and Accountability Act of 2013 (70 O.S. § 3-168), the OSDE does not maintain student educational records, as such records are maintained by public schools. However, the OSDE collects and stores data from public schools and school districts for a variety of purposes, including but not limited to compliance with federal and state laws and regulations (e.g., accountability for student learning, expenditures of public funds, required public reporting). The OSDE only collects the minimally necessary personally identifiable data to comply with these requirements.

[Personally identifiable information](#) (PII) for students stored by the OSDE consists of the data elements listed below. Note that not all data points are collected for all students. Additionally, [see here](#) for detailed information on all data elements collected within the Wave, which is OSDE's primary system for collecting data from schools to perform necessary duties and functions.

Direct identifiers:

- Address
- Contact person (including name, relationship, address, demographics, email address and phone number)
- Email address
- Locally assigned identifier
- Medicaid Number
- Name
- Phone number
- State testing number

Indirect identifiers:

- 504 documentation
- Alternative education status
- Bilingual status
- Citizenship status
- Country of citizenship



- Country/state/place of birth
- Date of birth
- Date student first arrived in the country
- Disability category/ies
- Economic disadvantage status
- English Learner status and proficiency
- Enrollment dates
- Free/reduced lunch eligibility and participation
- Gender
- Gifted and talented status
- Homeless status
- IDEA-eligible status
- Immigrant status
- Individualized Education Program (IEP) and eligibility documentation
- Individualized Family Service Plan (IFSP) - SoonerStart
- Individualized Service Plan (ISP) documentation
- Languages spoken
- Medical alert associated with student
- Migrant status
- Parent in the military
- Qualified under Section 504 of the Rehabilitation Act status
- Race and ethnicity
- Seclusion and restraint documentation
- School and district and/or other educational facility
- Tribal affiliation

Additionally, the OSDE stores PII data specific to teachers, school staff, school administrators, and OSDE employees.

Direct identifiers:

- Address
- Dependents
- Email address
- Job title and description
- Locally assigned identifier
- Name
- Phone number
- Social Security Number
- Teacher certification number

Indirect identifiers:

- Date of birth



- Gender
- Languages spoken
- Level of education & college(s) attended
- Licensure and certification area(s)
- Race and ethnicity
- Teaching experience

2. How the personally identifiable data is stored

All data retention is managed in conjunction with the Oklahoma State Department of Libraries, according to its [Records Retention Schedule](#), under the Records Management Act [Title 67 O.S. § 201, et seq](#), with the guidance and authority of the state Archives and Record Commission, pursuant to [Title 67 O.S. § 305, et seq](#), and applicable Federal Law. The data is stored in accordance with the Oklahoma Information Technology Standards and Policies, including the Information Security Policy, Procedures, and Guidelines.

3. With whom the OSDE shares personally identifiable data

The OSDE only shares personally identifiable information in accordance with the Family Educational Rights and Privacy Act (FERPA) ([20 U.S.C. § 1232g; 34 CFR Part 99](#)), and includes disclosing PII to the following:

- Parents or guardians of a dependent student
- Local educational agencies and school officials with a legitimate educational interest
- Authorized representatives of the Comptroller of the United States and the Secretary of the United States Department of Education
- Authorized representatives of law enforcement
- State and local officials or authorities to whom such information is specifically allowed to be reported or disclosed
- Organizations conducting studies for, or on behalf of, the OSDE for the purpose of developing, validating or administering instruction, provided such studies do not permit personal identification of students and such information will be destroyed when no longer needed for the purpose in which it is conducted
- In connection with an emergency, appropriate persons or entities if the knowledge and information is necessary to protect the health or safety of a student or other persons

