

HOUSE BILL REPORT

SSB 5509

As Passed House:

April 10, 2001

Title: An act relating to identification of students, staff, and faculty at institutions of higher education.

Brief Description: Requiring institutions of higher education to use personal identifiers that are not social security numbers.

Sponsors: By Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Hochstatter, Shin, Kline, Hargrove, Horn, Fairley, Sheahan, B. Sheldon, Prentice, McAuliffe, Roach and Costa).

Brief History:

Committee Activity:

Higher Education: 3/19/01, 3/21/01 [DP].

Floor Activity:

Passed House: 4/10/01, 94-0.

Brief Summary of Bill

- Prohibits public institutions of higher education from using student, faculty, and staff social security numbers as a personal identifier except for employment, financial aid, research, assessment and accountability purposes, transcripts or as otherwise required by state or federal law.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass. Signed by 8 members: Representatives Cox, Republican Co-Chair; Kenney, Democratic Co-Chair; Gombosky, Democratic Vice Chair; Jarrett, Republican Vice Chair; Dunn, Fromhold, Lantz and Skinner.

Staff: Tracey Taylor (786-7196).

Background:

The crime of identity theft is an increasing threat to the credit and good name of the citizens of this state. This crime occurs when the information about the victim's identity,

such as date of birth, social security number and driver's license, is stolen and used to establish credit and make purchases, leaving the victim accountable for defaults in payments and ruined credit histories.

According to the Washington State Attorney General's January 10, 2000 report from the consumer privacy workgroup, an estimated 500,000 people per year become a victim of identity theft. The Federal Trade Commission, in a 1999 report to Congress, indicated there were 1,153 investigations of social security number misuse in 1997.

The Family Education and Privacy Rights Act of 1974 (20 USC §1232g) protects the accuracy and confidentiality of student records. Any educational institution receiving federal funds is prohibited from permitting the release of education records or personally identifiable information contained in the records of students without the written consent of the student or the student's parents. However, this information can be released without written consent to other school officials, including teachers within the educational institution, who have a legitimate educational interest in the information.

Summary of Bill:

Public institutions of higher education must not use students, faculty or staff social security numbers as personal identifiers, except for research, assessment, accountability, transcripts, financial aid or employment purposes, or as otherwise required by state or federal law.

The public institutions are charged with developing an alternative system of unique personal identifiers that does not use an individual's social security number for grading and other administrative purposes.

The Higher Education Coordinating Board, the State Board for Community and Technical Colleges and the public institutions of higher education must submit a report to the Legislature by December 1, 2001, outlining each institution's new personal identifier system.

Each institution is required to use existing funds to comply with this act--no new state funds will be allocated for this purpose.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Section 2 of the bill takes effect on July 1, 2002. The remainder of the bill takes effect ninety days after session in which the bill is passed.

Testimony For: The bill is essentially the same as House Bill 1381 except for the inclusion of faculty and staff. This addition makes the bill stronger. This is especially needed after the computer theft at Eastern Washington University.

Testimony Against: None.

Testified: Senator Kohl-Welles, prime sponsor; Toni Ryan, Washington Student Lobby; Wendy Rader-Konofalski, Washington Federation of Teachers; and Bruce Botka, Higher Education Coordinating Board.