

CONSENT CALENDAR

February 10, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Education to which was referred HB
1626,**

**AN ACT relative to the unique pupil identification
system. Having considered the same, report the same
with the recommendation that the bill OUGHT TO
PASS.**

Rep. Glenn Cordelli

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Education
Bill Number:	HB 1626
Title:	relative to the unique pupil identification system.
Date:	February 10, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

The Department of Education maintains a system of unique pupil identification numbers to track students while maintaining their privacy. This bill updates the existing statute according to practice and other statutes to permit charter schools and the scholarship organization that manages the education freedom account program to have access to the identification numbers. This is needed so they can verify student attendance and avoid duplication with other schools. Failure to do this checking might lead to duplication of payments.

Vote 18-0.

Rep. Glenn Cordelli
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Education

HB 1626, relative to the unique pupil identification system. **OUGHT TO PASS.**

Rep. Glenn Cordelli for Education. The Department of Education maintains a system of unique pupil identification numbers to track students while maintaining their privacy. This bill updates the existing statute according to practice and other statutes to permit charter schools and the scholarship organization that manages the education freedom account program to have access to the identification numbers. This is needed so they can verify student attendance and avoid duplication with other schools. Failure to do this checking might lead to duplication of payments. **Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 1626

BILL TITLE: relative to the unique pupil identification system.

DATE: February 10, 2022

LOB ROOM: 207

MOTIONS: **OUGHT TO PASS**

Moved by Rep. Cordelli

Seconded by Rep. Tanner

Vote: 18-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Melissa Litchfield, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on Bill # 16026

BILL TITLE: relative to the unique pupil identification system
DATE: 2/10/22
LOB ROOM: 207

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. Cordelli Seconded by Rep. Tanner Vote: 18-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

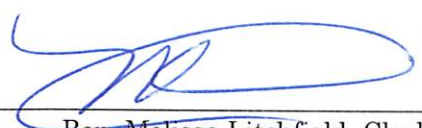
MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted:  _____
Rep. Melissa Litchfield, Clerk



2022 SESSION

Education

Bill #: 1626 Motion: OTP AM #: _____ Exec Session Date: 2-10-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman <i>last</i>	18		
Cordelli, Glenn Vice Chairman <i>first</i>	1		
Litchfield, Melissa A. Clerk	2		
Boehm, Ralph G.	3		
Lekas, Alicia D.	4		
Moffett, Michael	5		
Hobson, Deborah L.	6		
Ford, Oliver J.	7		
Soti, Julius F.	8		
Nelson, Bill G.	9		
Myler, Mel Walz, Mary Beth <i>second</i>			
Luneau, David J. <i>first</i>	10		
Cornell, Patricia	11		
Tanner, Linda L.	12		
Ellison, Arthur S.	13		
Mullen, Sue M.	14		
Woodcock, Stephen L.	15		
Porter, Marjorie	16		
A. Hall, Muriel C.	17		
TOTAL VOTE:	18	0	

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING on Bill # HB1626

BILL TITLE: relative to the unique pupil identification code

DATE: 1/27/22

ROOM: 207

Time Public Hearing Called to Order: 9:00 am

Time Adjourned: 9:30 am

Committee Members: Reps. Ladd, Cordelli, Boehm, A. Lekas, Moffett, Hobson, Ford, Soti, B. Nelson, Litchfield, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Woodcock, Hall and Porter

Caitlyn Davis, NH DOE - Supports

This bill includes chartered public schools and scholarship organizations in the procedures and requirements for the unique pupil identification system.

Rep Cornell, On 1626 line 26, How do we know who the scholarship organization's designee will be?

Response: It is a personal and identifiable account.

Rep Luneau, If a student switches from homeschool to public school, etc. How are they identified?

Response: The SASID number never has names. For public school, there is a count twice a year. If a child moves on, the school is required to report the SASID number and status of child leaving. There are exit and re-entry codes.

Rep Ellison, Years ago, having trouble in the system finding students that left and went somewhere. It was not clear whether they showed up anywhere.

Response: It could certainly be an issue. If a child is not picked up or graduated, they assume the child is a drop out.

Rep Ladd, How about Home School children?

Response: We would only know if they have an EFA or they are taking a class at the local school.

Rep Ladd, How do we do the ADMR?

Response: This does not include children at private school children or home schooled children.

Rep Woodcock, SASID numbers, Charter schools do not have this?

Response: No Charter schools do use them, but it is not in law. We do not want to double pay for a child.

Rep Luneau, How does a SASID apply to a student at St. Paul's Bishop, Brady or Pinkerton. A Pinkerton student would have a SASID if attending as a public school student. Unless a child is participating in an EFA, we would not have a SASID number for the private schools students. Reporting for private schools is required once a year. The reporting only includes enrollment by grade.

Rep Ladd, In 193e3, a requirement for delivery of adequate education, etc. Does the unique pupil identifier use this information.

Rep Ford, reporting for children in divorce situations.

Response: There is no problem, there are several capabilities at DOE. On the funding and reporting side of DOE there are no issues.

Rep Cornell, What happens to the child that is withdrawn, but no further records are requested.

Response: It shows as withdrawn.

Rep Cornell, does anything else show.

Response: There is no tracking system.

Rep Luneau, Is there any tracking for SASID beyond secondary school.

Response: The DOE does not. They are prohibited by law to have social security numbers for students.

Follow-Up, Does the community college system use SASID?

Response: Believes that they have access, but do not use it.

Rep Litchfield, What is the correct acronym for SASID, and what does it stand for: State Assigned Student Identifier.

Rep Ladd, How do we accomplish an audit trail, so those Administrators that leave the system no longer have access?

Response: They are locked out of the system once no longer employed.

Respectfully submitted,

Rep. Melissa Litchfield, Clerk

House Remote Testify

Education Committee Testify List for Bill HB1626 on 2022-01-27

Support: 2 Oppose: 4 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Koleszar, Monica	Portsmouth, NH monicamk.09@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 8:57 PM
Gould, Rep. Linda	Bedford, NH lgouldr@myfairpoint.net	An Elected Official	Myself	Support	No	No	1/25/2022 1:53 PM
Williams, Beverly	Meredith, NH bawilly7@yahoo.com	A Member of the Public	Myself	Support	No	No	1/25/2022 7:24 PM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/26/2022 9:47 AM
Fraysse, Michael	Epsom, NH mikefraysse@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/26/2022 10:09 AM
kirsch, walter	warner, NH kirschwalterf@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/27/2022 10:55 AM

Archived: Friday, January 28, 2022 9:23:08 AM
From: LT
Sent: Thursday, January 27, 2022 9:00:13 AM
To: ~House Education Committee
Subject: HB 1626
Importance: Normal

HB 1649 Unique Pupil Identifier
Representative Linda Tanner
Sullivan District 9

My intent in offering HB 1649 is to require a unique pupil identifier be given to each child who is being educated in New Hampshire using public funding in order to provide aggregate data to review the programs and make informed decisions.

A unique student identifier is typically a number or code assigned to students enrolled in public schools that allow state education agencies, districts, schools, collegiate institutions, etc. to monitor, track, organize, and transfer student records more efficiently and reliably. In the New Hampshire, the state department of education uses this system and assigns a randomly generated identifying number to each pupil in New Hampshire "pursuing" an education from an early childhood program, district or post secondary institution. The pupil identifier remains in the pupil's file throughout his or her academic career in New Hampshire. The primary advantage of a unique student identifier is that it's used in place of a student's name or other personal information that may compromise the privacy or reveal the identity of the student. The UPI protects student privacy, while offering unique student identifiers to use to aggregate data to improve the quality, accuracy, and reliability of student data. The information is kept in a data warehouse at the Department of Education. The statute describing the UPI program is found in 193-E:5 which is part of the Adequacy statutes.

I have been concerned with the eligibility and accountability of our expanding extended learning and voucher programs. Since the alternative and extended learning opportunities were being largely organized, implemented and assessed by a third party agency, many students would not have a unique pupil identifier. Data collection would be difficult and in many cases, unavailable, because of a lack of a unified tracking system. In order to be able to assess achievement, effectiveness, and proper distribution of public funds, this system of the unique pupil identifier protects the pupil's identity but gives a warehouse to provide aggregated data. Future decisions, reviews, or investigations of these programs should be based on real data that can be quantitative and subjective.

I'm not sure why 1649 and 1626 were not combined or focused into one bill but here we are. There are some slight differences between these two bills.

1. HB 1626 includes chartered public schools and the scholarship organizations in the procedures and requirements for the unique pupil identifier system,(UPI).
2. HB 1649 did not include charter schools (because I thought they would be under the requirement for public schools) but requires a UPI be made available to the scholarship organization for the distribution of the education freedom accounts. For both 1626 and 1649 These changes are made throughout the statute.

I would like to note that the scholarship organization might not always be the third party agency to distribute EFA funds. In fact, there are two agencies now the Giving and Going Alliance.

The other difference is at the end of the bills.

1. HB 1626 takes effect upon its passage- H 1649 allows 60 days to take effect
2. HB 1649 includes an amendment to RSA 194-F, p 3, line 23 under the scholarship organization authority and responsibilities section that outlines the responsibility of the organization to use the UPI to certify student eligibility with regard to residency, age and income, to determine enrollment status with resident districts, to record annual records of attainment, to report qualifying expenses record and to determine compliance with rules and requirements.

Linda Tanner

“Unless someone like you cares a whole awful lot,
Nothing is going to get better. It's not.”
— **Dr. Seuss, The Lorax**

HB 1626 - AS INTRODUCED

2022 SESSION

22-2114

10/04

HOUSE BILL **1626**

AN ACT relative to the unique pupil identification system.

SPONSORS: Rep. Cordelli, Carr. 4; Rep. Ladd, Graf. 4; Rep. Boehm, Hills. 20; Rep. Ford, Rock.
4

COMMITTEE: Education

ANALYSIS

This bill includes chartered public schools and scholarship organizations in the procedures and requirements for the unique pupil identification system.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the unique pupil identification system.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Adequate Public Education; Unique Pupil Identification; References to Chartered Public
2 Schools, Scholarship Organizations. Amend RSA 193-E:5, I to read as follows:

3 I. The department of education shall, ~~using federal funds only,~~ implement and maintain a
4 unique pupil identification system on a statewide basis that complies with the following
5 requirements:

6 (a) Except as provided in RSA 193-C:12, no personally identifiable information about a
7 pupil including name and social security number, shall be collected or maintained by the state in
8 such a manner as to allow such information to be connected with the unique pupil identifier. Under
9 no circumstances shall the department of education obtain or use a social security number as an
10 identifier for any pupil. The department shall not use unique pupil identifiers except in connection
11 with the data warehouse and such use shall not be accessible to the public.

12 (b) The random number generator shall make available to each early childhood program,
13 district, **chartered public school, scholarship organization**, or postsecondary institution a
14 unique pupil identifier for each pupil pursuing an education in a New Hampshire early childhood
15 program, district, **chartered public school, scholarship organization**, or postsecondary
16 institution. The unique pupil identifier itself shall not permit pupil identification within a
17 subcategory including, but not limited to, early childhood program, district, **chartered public**
18 **school, scholarship organization**, postsecondary institution, sex, age, grade, or county of
19 residence.

20 (c) The unique pupil identifier shall be requested and maintained by the early childhood
21 program, district, **chartered public school, scholarship organization**, or postsecondary
22 institution. The unique pupil identifier shall remain in the pupil's file throughout his or her
23 academic career in New Hampshire.

24 (d)(1) Access to the random number generator shall be limited to an early childhood
25 program director or designee, a district superintendent or designee, **chartered public school**
26 **director or designee, scholarship organization director or designee**, or a postsecondary
27 institution registrar or designee, and only for pupils pursuing an education in that early childhood
28 program, district, **chartered public school, scholarship program**, or postsecondary institution.

29 (2) A parent or legal guardian shall, upon request made in person to the early child
30 program director, school district superintendent for the district which the child last attended,
31 **chartered public school director, scholarship organization director**, or postsecondary

1 institution registrar, have access to their child's unique pupil identifier and their child's data
2 maintained in the data warehouse. A person who is 18 years of age or older shall, upon request
3 made in person to the early child program director, school district superintendent for the district
4 which the person last attended, *chartered public school director, scholarship organization*
5 *director*, or postsecondary institution registrar, have access to their unique pupil identifier and
6 their data maintained in the data warehouse.

7 (3) Any person who knowingly violates the provisions of this subparagraph is guilty
8 of a class B felony and may be subject to involuntary termination of employment.

9 (e) The random number generator shall create and maintain a comprehensive audit trail
10 for all users accessing the random number generator.

11 (f) The data warehouse shall create and maintain an audit trail for all users accessing
12 secure information.

13 (g) No person, including an individual, business, government, or governmental entity,
14 shall require an individual to provide a unique pupil identifier as a condition of doing business,
15 providing a service, or receiving a benefit of any kind, except as provided in RSA 193-E:5, I(c). Any
16 person or entity who knowingly violates the provisions of this subparagraph shall be liable for actual
17 damages or \$25,000, whichever is greater, for each violation. Each denial of services or benefits
18 shall constitute a separate offense under this subparagraph.

19 (h) If a pupil's records become part of an administrative action outside of the pupil's
20 early childhood program, district, *chartered public school, scholarship program*, or
21 postsecondary institution, or a part of any judicial or quasi-judicial proceeding, the part of the record
22 containing the pupil's unique pupil identifier shall be redacted by the early childhood program,
23 district, *chartered public school, scholarship organization*, or postsecondary institution prior
24 to release.

25 (i) The information maintained in the data warehouse shall be available to the
26 department of education and to the public using the data maintained by the department of
27 education. No personally identifiable information shall be required as a condition of access or usage
28 under this subparagraph, nor shall such access or usage be tracked. Under no circumstances shall
29 the unique pupil identifier be made available to the public.

30 (j) Information maintained in the random number generator shall be exempt from the
31 provisions of RSA 91-A.

32 (k) Authorized personnel at the department of education shall administer and maintain
33 the unique pupil identification system.

34 (l) Except as provided in RSA 193-C:12, the department of education shall provide no
35 personally identifiable information collected pursuant to this chapter, including but not limited to
36 name, date of birth, or social security number to any person or entity, other than an early childhood
37 program, district, *chartered public school, scholarship organization*, or postsecondary

HB 1626 - AS INTRODUCED
- Page 3 -

1 institution authorized to access this data, absent a court order. Under no circumstances shall
2 personally identifiable information or the unique pupil identifier be provided to any person or entity
3 outside of New Hampshire. Any person who knowingly violates this provision is guilty of a class B
4 felony and may be subject to involuntary termination of employment.

5 (m) Early childhood programs not receiving Head Start or child care scholarship funds,
6 private schools comprised of kindergarten through grade 12, and all private postsecondary
7 institutions may participate in the data warehouse and random number generator. Participating
8 early childhood programs may volunteer to include data for pupils for which Head Start or child care
9 scholarship funds are not received. Permission of a parent or legal guardian of a pupil enrolled in an
10 early childhood program shall be obtained before a pupil may participate in the data warehouse and
11 random number generator. For the purposes of this section, such voluntary participating early
12 childhood programs shall be included in the definition set forth in RSA 193-E:4.

13 (n) Notwithstanding subparagraphs (a)-(m), to enable the department of education to
14 ensure the accuracy of the data, the commissioner of the department of education may, in writing,
15 grant individuals access to the data warehouse, including but not limited to, access to the unique
16 pupil identifier for the purpose of connecting information in the warehouse with the random number
17 generator.

18 (o) At the request of an early childhood program, school district, **chartered public**
19 **school, scholarship organization**, or postsecondary institution, the department of education shall
20 provide pupil-level data from the unique pupil identification system to an early childhood program,
21 school district, **chartered public school, scholarship organization**, or postsecondary institution
22 for pupils pursuing an education in that entity. Except as otherwise specifically provided in statute,
23 the department shall not provide for any purpose any student personally-identifiable data to any
24 public or private individual or entity, including the local, state, or federal government, or
25 department or agency thereof, regardless of whether such individual or entity is for profit or not-for-
26 profit, and regardless of whether the public or private individual or entity is involved in any way
27 with the pupil's education.

28 (p) New Hampshire home educated pupils pursuing an education in a postsecondary
29 institution who have not been assigned a unique pupil identifier may, without penalty, opt out of
30 being included in the unique pupil identification system for postsecondary pupils.

31 (q) Nothing in this chapter shall prohibit institutions in the university system of New
32 Hampshire and the community college system of New Hampshire from exchanging data between
33 themselves without the consent or involvement of the department of education.

34 2 Effective Date. This act shall take effect upon its passage.