

OSBA Model Sample Policy

Code: ECACA
Adopted:

Radio Frequency Identification Device**

The district will operate a Radio Frequency Identification Device (RFID) program to locate, track or take attendance of students. The district shall provide notice to parents and students at least 30 days¹ before the district implements a RFID program or makes a modification to the current RFID program.

This notification shall:

1. Specify the purpose for the RFID program;
2. Specify where the RFID readers will be located;
3. Outline the expectations of participation in the program, including any possible disciplinary actions, which may be imposed on a student, for not following the RFID program rules;
4. Inform parents and students of the right to not participate in the RFID program and how to opt-out;
5. Outline the procedure to opt-out of the RFID program; and
6. Communicate to parents and students in at least two formats, one of which shall be the district website, if available.

Voluntary Opt-In RFID Program

The district may create the RFID program without notification, if the district creates a form allowing parents to voluntarily opt-in to the RFID program.

1. The form created under this section shall:
 - a. Require a parent signature, or signature of a student if the student is 14 years of age or older, for consent to join the RFID program;
 - b. Specify the purpose for the RFID program;
 - c. Specify where the RFID readers will be located;
 - d. Outline the expectations of participation in the program including any possible disciplinary actions for not following the RFID program rules;
 - e. Outline the procedures to discontinue participation in the RFID program; and
 - f. Expire one year from the date that the form is signed by the parent.
2. Voluntary Opt-In RFID programs shall not require any student to use RFID who does not have a consent form on file.

¹ A district that establishes a RFID program before the start of the school year, shall provide notice to parents and students annually, and at least 30 days prior to the first day of classes.

3. Districts wishing to expand the Opt-In RFID program to students without a valid consent form on file, must provide the same 30-day notification as with any RFID program.

Opt-Out RFID Provisions

Parents, or students who are 14 years of age or older, may provide notice in writing that they no longer wish to participate in any RFID program.

The district shall:

1. Not ask for the reason or justification for the request;
2. Not impose a time restriction for a request to be made;
3. Ensure that the request is completed within three school days; and
4. Not initiate or continue any disciplinary action against the student for not following the RFID program rules.

Privacy and Security

The following privacy and security standards shall apply:

1. No personally identifiable information may be stored on the RFID (“Personally identifiable information” means data that could potentially identify a specific individual.);
2. The RFID may not have a readable range of more than 10 feet;
3. All data collected as part of the RFID program shall be considered part of the student record and shall be retained in accordance with state and federal student record laws and data privacy and security standards;
4. Data collected as part of the RFID program shall be retained for no more than 72 hours, except records for the purpose of taking attendance; and
5. The RFID reader locations must be conspicuously marked.

END OF POLICY

Legal Reference(s):

[ORS 339.890](#)

[OAR 581-021-0505](#)