



# FACT SHEET

## EDUCATION & THE WORKFORCE COMMITTEE

### **STUDENT PRIVACY PROTECTION ACT**

#### **THE PROBLEM:**

For students, parents, and teachers, mobile applications, cloud-based platforms, and other innovative technologies have made education more accessible, reliable, and efficient. It has provided students of all ages and all backgrounds greater access to learning, enhanced communication between teachers and parents, and enabled educators and researchers to better understand student progress and identify new solutions to improve classroom instruction. Technology can provide numerous benefits to a student's education, but it can also pose significant risks to a student's privacy.

Under the *Family Educational Rights and Privacy Act*, or FERPA, schools must comply with various privacy protections and ensure parents are able to access, inspect, and request corrections to their children's education records. Additionally, the law allows certain individuals with legitimate education interests to access students' education records, such as teachers, school officials, and other authorized representatives. The law has not been significantly updated since it was first enacted more than 40 years ago, long before online learning was the norm in America's classrooms. These tools generate and store student information that may not be protected under the law, creating an environment where parents do not know what student information schools and their partners collect and how that information is used or shared. As a result, current federal privacy policies do not reflect the innovative teaching methods available today and fail to deliver effective safeguards over students' personal information.

#### **THE SOLUTION:**

To help promote a 21st century learning environment and provide strong student privacy protections, Early Childhood, Elementary, and Secondary Education Subcommittee Chairman Todd Rokita (R-IN) and Ranking Member Marcia Fudge (D-OH) introduced the *Student Privacy Protection Act*. The bill will modernize privacy protections, improve communication between parents and school officials, and hold schools, states, and independent entities accountable for their use of student information.

#### **H.R. 3157– STUDENT PRIVACY PROTECTION ACT:**

- ✓ Updates the definition of an education record to ensure student information connected through classroom technology is protected.
- ✓ Prohibits schools or independent entities, such as technology companies, from using a student's education record to market products or services to students.
- ✓ Reaffirms a parent's right to access their child's education record and opt out of sharing their student's directory information such as name, address, and date of birth.
- ✓ Strengthens security requirements for storing and gaining access to student education records.
- ✓ Provides parents with greater transparency about what student information schools determine can be used, collected, and shared for educational purposes.
- ✓ Reinforces privacy protections by providing schools better guidance, support, and oversight.
- ✓ Ensures compliance with the law and communication between parents and school leaders by requiring schools to designate a privacy official to oversee the use of student information.