



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

**Protecting Our Students:
Oregon Student Information Protection Act (OSIPA)
SB187**

Background: Educators and students across Oregon are using new online services that were developed for elementary and secondary school curricula. These new services enhance classroom learning and simplify administrative tasks, and provide valuable insight for parents.

Many of these services require students to log in and create accounts so that personal information, such as grades, disciplinary history, and chat records can be tracked, collected, stored, and analyzed. In many cases, the only formal arrangement between schools and these organizations is a privacy policy, drafted by the online commercial organization. Some of these privacy policies, which can be quite lengthy, state that they are “subject to change at any time.” They also state that the online site does not take responsibility for the use of student personal information by the other companies that provide applications the online organization’s own site.

“App” development and educational product advertising has evolved around these services that hold student personal information. Developers are using student data to design new apps that can be sold on these in-system school online sites or “stores.” Apps purchased in these stores often have no privacy policy presented during the purchase. This leaves student personal information vulnerable for uses never contemplated or agreed to by the students or educators.

Current federal and state privacy laws are deficient in protecting student personal information. As the amount of data collected on our students increases, it is critical that online companies that market to schools protect this data and use it properly.

Concept: OSIPA would prohibit online educational sites, services, and applications from compiling, sharing, or disclosing student personal information for any purpose other than for school purposes. This bill also prohibits those online sites, services, and applications from facilitating marketing or advertising to students. It places a duty on educational online operators to have reasonable security measures and to delete student information upon request of the school. While protecting information, it allows for educational technology companies to release information under allowable circumstances: law enforcement, research purposes, and others.

OSIPA seeks to balance protecting our students while giving companies room to develop and thrive in this area: it allows online sites, services, and applications developed for school purposes to use unidentified aggregated data analysis to improve an entity’s educational products and provide adaptive and customizable learning.

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