

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Education

REVENUE: No revenue impact**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO: Joint Committee on Ways and Means****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Gretchen Engbring, Administrator**Meeting Dates:** 2/26, 4/2

WHAT THE MEASURE DOES: Establishes task force to make recommendations regarding protections of privacy of students using education software. Sunsets task force on date of convening of 2017 regular session of Legislative Assembly. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Fast pace of technological development versus slow pace of policy
- Family Educational Rights and Privacy Act
- Student privacy legislation in California
- Student Data Privacy Work Group
- Benefits and risks of data mining
- Anticipated challenges of enforcing legislation
- Vendor accountability
- Business concerns with legislation

EFFECT OF COMMITTEE AMENDMENT:

-3 amendments (proposed) remove establishment of Task Force on Student Privacy. Establish Oregon Student Information Protection Act. Prohibit operators of Internet websites, online services, online applications or mobile applications from knowingly engaging in specified activities with regard to services or applications for kindergarten through grade 12 school purposes. Establish operator responsibilities. Define terms. Takes effect July 1, 2016.

BACKGROUND: Senate Bill 1177 (2014) of California prohibits an operator of an Internet Web site, online service, online application, or mobile application from knowingly engaging in targeted advertising to students or their parents or legal guardians, using covered information to amass a profile about a kindergarten to grade 12 (k-12) student, selling a student's information, or disclosing covered information. The bill will become operative January 1, 2016.

As introduced, Senate Bill 187 establishes a Task Force on Student Privacy. The proposed -3 amendments draw on Californian legislation, prohibiting specified activities for operators of Internet websites, online services, online or mobile applications used primarily for k-12 purposes.

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This summary has not been adopted or officially endorsed by action of the committee.