



**DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL**

The Department of Justice Urges the Passage of Senate Bill 187A

Senate Bill 187A, closely modeled after groundbreaking, unanimously-passed California legislation, forbids the use of student data collected in the classroom for improper marketing purposes. In the world of Educational Technology, information is meticulously tracked, down to every keystroke entered and homework assignment submitted. But these companies also can access to far more sensitive information, including juvenile records, disability records, special education data, socioeconomic information, disciplinary histories, test results and far more. Developed in consultation with parents, teachers, school districts, educators and privacy advocates, SB 187A makes clear that our students' data is not for sale, and that data mining has no place in the classroom.

SB 187A strikes a necessary balance between allowing for the innovative use of student data and protecting that data from exploitation. The bill permits data to be used in any way consistent with "K-12 purposes," defined as uses made at the direction of or for the benefit of the school, teacher or school district, but not the commercial desires of third-party marketers unaccountable to the classroom. Companies are free to use student data to improve their service, market their product, or otherwise innovate, provided that the student data has been deidentified and made anonymous prior to use.

The bill also requires these companies to implement and maintain reasonable security procedures to protect this information from unauthorized access, destruction or intrusion. In an age of ever more common threats to data security, parents and students deserve to know that their data is secure.

SB 187A is an important step in protecting the privacy of our students, and their right to an educational environment free from pop-ups, targeted advertising and data mining. The Department of Justice urges the passage of Senate Bill 187A.

**From the Office of State
Representative Susan McLain**

Susan McLain