

## CDT SUPPORTS STUDENT DIGITAL PRIVACY AND PARENTAL RIGHTS ACT OF 2015

April 29, 2015

The Center for Democracy & Technology enthusiastically supports the [Student Digital Privacy and Parental Rights Act](#), introduced by Congressman Luke Messer (R-Ind.) and Congressman Jared Polis (D-Colo.) on April 29<sup>th</sup>.

EdTech is an integral component of classroom instruction across the country; the Obama Administration and numerous state school systems have prioritized connecting classrooms to the internet in recent years. EdTech collects large amounts of student data, much of which is intended to enhance a student's learning experience or simplify schools' day-to-day tasks. However, it is unclear to what extent federal law safeguards this data from misuse or unauthorized access. Given this, we need innovative approaches to student data protection that include regulation of the EdTech industry.

The Student Digital Privacy and Parental Rights Act responds to this need in several ways:

- It prohibits targeted advertising to students, as well as collection and use of student data for targeted advertising.
- It prohibits disclosure of student data to third parties except in limited circumstances, and requires third party recipients to comply with robust data protection standards.
- It requires companies to delete student data after 45 days at the school's request or the parent's request, and to purge student data after a year unless a parent or school has directed the company to maintain the data.
- It places enforcement authority with the FTC. A number of student privacy advocates have called for greater FTC regulation of EdTech. Legislation that gives the agency this regulatory power would better incentivize EdTech to practice responsible data collection, use and sharing practices.
- It would not preempt stronger state student privacy laws. This will allow for states to innovate on student privacy to afford its students enhanced privacy protections.

The Student Digital Privacy and Parental Rights Act is a thoughtful approach to protecting students' digital lifecycle. We commend Representative Messer's and Representative Polis' dedication to this issue and hope Congress will support their efforts.

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