

Subject Educational data: student privacy and educational technology

Authors Feist and others

Analyst Nathan Hopkins

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Overview

This bill makes changes to the section of the Minnesota Government Data Practices Act that governs private “educational data” on students. It imposes new student privacy protections on “technology providers,” i.e. companies that contract with schools to provide technological devices (laptops, tablets, etc.) for student use and that receive educational data as a result of that contract. It also imposes new student privacy protections for school-issued technological devices. Postsecondary institutions and national assessment providers (such as the College Board, which administers the SAT exam) are exempt from these new provisions.

Summary

| Section | Description |
|---------|---|
| 1 | Definitions. Adds new definitions for “parent,” “school-issued device,” and “technology provider.” Makes conforming changes to the existing definition of “educational data.” |
| 2 | Technology providers. Places transparency obligations and privacy-protective restrictions on technology providers with regard to educational data that the technology provider creates, receives, or maintains as part of its contract with a school. Among other provisions, technology providers are prohibited from selling or disseminating educational data, and are prohibited from using the educational data for any commercial purposes. Schools are also required to notify parents and students of contracts with technology providers regarding curriculum, testing, or assessment and provide the parent or student an opportunity to opt-out of the associated program or activity. |
| 3 | School-issued devices. Prohibits a government entity or technology provider from accessing or monitoring a student’s school-issued device, subject to the exceptions enumerated in paragraph |

| Section | Description |
|---------|---|
| | (b). Requires notice to students or parents if monitoring occurs pursuant to an exception. |
| 4 | Application to postsecondary institutions; exemption. Exempts postsecondary institutions from sections 2 and 3 of the bill. States that a “nonprofit national assessment provider” (such as the College Board, which administers the SAT exam) is exempt from sections 2 and 3 of the bill for purposes of providing specified services and so long as the provider receives student or parent consent. |



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