

## **S.F. No. 2307 – Educational data; student data privacy and technology providers (as amended by SCS2307A-2)**

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### **Overview**

**S.F. 2307** modifies Minnesota Government Data Practices Act provisions governing the privacy and accessibility of educational data on students. This bill imposes educational data privacy protections on technology providers who contract with schools to provide technological devices for student use and that receive educational data pursuant to that contract. This bill also prohibits electronic access or monitoring of school-issued devices unless an exception applies.

### **Summary**

**Section 1. [13.32, subd. 1] Definitions.** Adds the following definitions to a statute governing educational data: “parent,” “school-issued device,” and “technology provider.”

**Section 2. [13.32, subd. 13] Technology providers.** Subjects a technology provider to data practices provisions governing educational data. Provides that educational data created or maintained pursuant to a contract with a school is not the technology provider’s property. Provides for procedures in the event of a breach of the security of the data. Requires destruction or return of educational data if a contract is not renewed. Prohibits technology providers from selling or disseminating educational data or using the educational data for any commercial purposes. Requires the technology provider to establish written procedures to safeguard the data. Requires schools to notify parents and students of contracts with technology providers regarding curriculum, testing, or assessment; provides them with an opportunity to review the contract; and provides them with an opportunity to opt-out of the associated program or activity.

**Section 3. [13.32, subd. 14] School-issued devices.** Prohibits a government entity or technology provider from electronically accessing or monitoring certain features and interaction on a school-issued device unless an exemption applies. Exemptions include if the access or monitoring is permitted pursuant to a court order, necessary to comply with state or federal law, the school-issued device is missing or stolen, or necessary to respond to an imminent threat to life or safety.

**Section 4. [13.32, subd. 15] Application to post-secondary institutions; exemption.** Exempts postsecondary institutions and certain nonprofit national assessment providers from subdivisions 13 and 14 (sections 2 and 3 of this bill).

**Effective date.** This bill is effective for the 2022-2023 school year and later.