



Support **HB3606** (was SB2089) **Protect students' data privacy**

Sponsors: Rep. Martwick, Sen. Aquino

Digital technology has become ubiquitous in public schools. Detailed personal data about students is collected on a daily or even second-by-second basis. Student information now goes far beyond grades and test scores and may include everything from students' physical locations with time stamps, online usage history, IP address, keystrokes, food purchases, in-school behavior (e.g. bathroom usage), fingerprints, and library books.

According to an [FBI warning in Nov 2018](#), "Malicious use of this sensitive data could result in social engineering, bullying, tracking, identity theft, or other means for targeting children."

Parents are rarely notified when their child's data is collected and stored by third-party organizations. Schools and companies are not required to divulge any information about what data is being collected, who it's being shared with, how it's secured, how to have it erased or even inform the victims in the case of a data breach. A recent evaluation of state laws by a national student privacy group gave Illinois an **F for transparency** and **D for data security requirements**.*

A K-12 data breach happens on average every three days in the US at a cost of \$245 per exposed record. Public schools around the state have been subjected to numerous costly breaches and ransomware incidents in just the last two years (e.g. Chicago, Crab Orchard, Pekin, Urbana, Morton, Abingdon, Mt. Zion and Gardner).

Why do we need this bill?

- **Existing student data privacy law was written by and for the tech industry. Families and parents had no role in the negotiations.** As it exists today, the law has inadequate protections of student data, loopholes for commercial use of student data, and minimal transparency measures.
- **Misuse of student data can compromise student safety and career opportunities.** HB 3606 puts in place security requirements for student data whether it is held by companies or schools. It provides families with a significant level of transparency and control over children's data.
- **The opportunity to make Illinois a leader in student data privacy.** Other states have begun to address the issue; this bill's provisions are based on laws from [Connecticut](#), [Colorado](#) and [New York State](#).

What will this bill do?

- **Gives control of student data back to parents.** This bill gives parents the ability to review and request correction or deletion of the personal information companies and schools have collected on their child. Currently, only schools can request deletion of such information.
- **Increases transparency.** The legislation requires schools and the State Board to list publicly the types of data they collect and who that data is shared with. It also creates notification procedures for parents and schools if their children's data is breached.
- **Safeguards student data.** This bill ensures that student data is only shared by schools under a written agreement and ensures schools and companies follow industry standards for securing data. It also requires that school's designate a privacy officer. It requires companies to delete student data after it is no longer being used for educational purposes.

* Parent Coalition for Student Privacy, "State Student Privacy Report Card" <https://www.studentprivacymatters.org>

