

## **Protecting Parental Rights & Children from Data Collection in Education**

SB 662, the Student Online Personal Information Protection Act, passed unanimously and purports to protect Florida public school students' personally identifiable information from misuse; however, students' PII remains almost entirely at-risk in a number of significant ways. Much work remains to be done on actually providing protections for students' PII. Following are just a **very few examples** of glaring issues which remain:

- Important terms (such as “use covered information”, "disclosure", "personally identifying information", "not associated with an identified student", and “collect”, to name a few) are not defined.
- Infractions are still undetectable either for the district schools or the parents, and even if infractions were detected, the statute is, practically speaking, unenforceable from a parent's perspective.
- Parents have no mechanism to access or validate what data is collected, much less to assess how the data which is collected may be used by vendors.
- While the statute limits some but not all targeted advertising, the statute fails to provide any controls on what apps teachers can instruct the students to access.
- Companies approved for use by a district are not prohibited from being bought out by companies in other countries, including China. Such sales result in 100% exposure of ALL data collected to date.
- Vendor companies are not adequately prevented from re-identifying PII after de-identifying it, merging it with other data and then using it for non-educational purposes.
- All data is currently at risk of being used to train artificial intelligence (AI).
- De facto EdTech mandates coerce installation of products on personal and privately owned electronic devices and networks which intrude into students' and their families' private lives and homes on behalf of the government while enriching corporations with whom the government contracts.

### **Summary of the Problem**

The current state of EdTech takes advantage of the lack of knowledge in the general population regarding the collection and use of student data that can be used to target, track, and manipulate the behavior of children, allow the sale of this data to adversaries such as the CCP, and disproportionately impact vulnerable populations. Lay persons, including most parents and legislators, are unable to understand and assess the complexity of EdTech in a meaningful way. As a result, the de facto EdTech mandates in the public-school systems in Florida violate individual privacy rights and individual's free-will such that unless parents acquiesce to the ubiquitous digital mandates their students are unable to participate in public school education, sports, and social clubs without losing all control over their privacy and PII. As currently used in all district school systems in the state, the de facto digital mandates blatantly fail the least restrictive means test to which the government is held. Correcting these problems requires extensive subject matter expert technical knowledge to be employed in the legislative process.

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