



# STUDENT DATA PROTECTION

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PRESENTATION FOR VIRGINIA GENERAL ASSEMBLY  
JOINT COMMISSION ON TECHNOLOGY & SCIENCE

# Virginia PTA

*Parent Teacher Association*

*The largest and oldest nonpartisan volunteer child advocacy association in Virginia & in the United States.*



## MISSION:

To make every child's potential a reality by **engaging** and **empowering** families and communities **to advocate** for all children.

# Defining Student Data

*Information gathered about individual students to understand and inform learning.  
Effective use of student data can accelerate learning and improve student performance.*

- **Academic**: Learning assessments, test scores, attendance records, and other information related to student achievement.
- **Personal information**: Personally identifiable information, such as social security number, name, address, or contact information.
- **Behavioral data**: Disciplinary records and teacher observations.
- **Demographic data**: Age, gender, race, ethnicity.
- **Health records**: Medical diagnoses, special education requirements, allergies, etc.

## Users of Student Data

Students

Teachers

Principals

Parents

School Districts

Service Providers

Researchers

The Public

# Evolving Student Data

**In 1998**, Congress passed the Children's Online Privacy Protection Act (COPPA) to protect the privacy of children under age 13 when using commercial websites and online services, including mobile apps.

- Requires direct notice to parents/guardians and parental/guardian consent before an operator collects personally identifiable information
- Privacy policies must be clear and accessible to families.

*Student laptops, digital learning in K-12 classrooms, on-line research sources, and prevalent cell phone and social media use raises new concerns about youth data privacy, on-line safety, and youth mental health.*

# Common Student Accounts (School Driven)

## As the school year starts

- Laptop & Email address
- Google Suite with App access
- Student Assignment & Assessment Portal
- Remind

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- School Bus Tracking App
- School Meal Payment App
- School Payment Portal
- Gaggle Monitoring Software
- Student Online Activity Report (some)

## Student Learning Apps

*(School Division Parent Permission Click)*

- Math
- Reading Comprehension
- World Language
- Quizlet
- Classroom Communication Apps

## Student Communications

- Google Docs/PowerPoint
- Social Media (Instagram, Discord, Snapchat, YouTube, TikTok, Pinterest)

# Impact of Technology

***Technology can enhance the learning experience and foster creativity and connectedness among students, educators and families. However, technology can also create digital environments that could be harmful to children and youth.***

- 62% of parents of children under 18 surveyed say they trust their children to browse the internet unmonitored\*
- 72% of parents with children under the ages of 18 say their children have used a parent's device without their permission.
  - While on the parent's device, children frequently engaged in risky online activities, including clicking on a suspicious link (27%), accessing mature or age-inappropriate content (25%), or giving away personal information (24%).\*
- 78% of Americans believe it's difficult for parents to keep children safe when they are online
- 92% agree that it's important for parents to talk to their children about cyber safety.
- Nearly half of U.S. teens ages 13 to 17 (46%) report experiencing at least one of six cyberbullying behaviors, with older teen girls particularly likely to say they experience multiple types of online harassment.\*\*
- Research suggests over 75% of 8- to 11-year-olds cannot distinguish ads from other content, and less than half of 12- to 15-year-olds understand search results are paid for, even if identified as an "ad."\*\*\*

## Behaviors of Teen Cyberbullying

- Offensive name-calling
- Spreading of false rumors
- Receiving explicit images
- Physical threats
- Constantly being asked where they are, what they're doing, or who they're with by someone other than a parent
- Having explicit images of them shared without their consent

# Protecting Student Data & Privacy

**PTA is committed to the promotion of privacy and security policies that maintain the confidentiality of sensitive data that students and families *provide to* educational institutions, as well as the data that is *collected while using* online products and services.**

- Parents and students should have ability to easily monitor and control their data, privacy, and security settings.
- Support clear, accessible, easy to read privacy policies provided to families & students.
- Support current federal law (COPPA) that requires direct notice to parents/guardians and parental/guardian consent before an operator collects personally identifiable information.
  - This should not result in creating an undue burden for parents. Third party apps and services should be required to meet and maintain rigorous safety and quality standards.
- Protections for elementary aged youth may be different than those needed for middle school students, high school students, college students, and students with disabilities.

# Expand Protections for Student Data Privacy

- **Prohibit Sale of Data & Targeted Advertising:** Oppose wholesale data-mining of educational records or online profiles for unspecified and open-ended purposes. This includes prohibiting the sale of student data, and/or its use to target advertising to students and their families.
- **Professional Development:** Teachers, principals and school employees who handle student data should participate in a regular review of data privacy policies.
- **Data Breaches:** School districts and online service providers should have policies and procedures in place to handle data breaches, including procedures to notify students and families, and notification to affected educational institutions in the case of an online service provider breach.
- **Data Lifecycle Management:** Online service providers should have comprehensive protocols to ensure the privacy and safety of student data—that includes the collection, storage, dissemination and cyclic destruction of stale student data.
- **Data Ownership Contracts:** Require contracts between school districts and online service providers to provide for the ownership of student data upon dissolution of service; provide for the safe keeping of student data after the service relationship has ended and permit the use of student data only in ways necessary to fulfill the contract with the school or district.



# Federal Laws Need to Be Modernized

Congress should ensure there are adequate parameters around the collection, storage, security and destruction of a child's or student's personally identifiable information, on-line data, and/or educational record

## **Children and Teens' Online Privacy Protection Act (COPPA 2.0 - [S.1418](#))**

- Build on COPPA by prohibiting internet companies from collecting personal information from users who are 13 to 16 years old without their consent;
- Ban targeted advertising to children and teens;
- Provide ability for parent and/or student to erase personal information;
- Establish a Youth Privacy and Marketing Division within the FTC

# 118<sup>th</sup> Congress Introduced Bills

**PROTECT Kids Act ([S.200](#)):** Would raise the age for parental consent protections for children online from under 13 to under 16, extend all protections for children online to mobile applications and allow parents to request deletion of their child's personal information from a website, online service or mobile app.

**Safe Social Media Act ([S.687](#)):** Require the FTC and the CDC to study the use of social media platforms among individuals under age 18, including the mental health impact of social media on youth.

**Digital Citizenship and Media Literacy Act ([S.394](#)):** Establish grants to state and local educational agencies, public libraries and qualified nonprofit organizations to develop programs that teach students how to consume technology and digital media safely, responsibly, respectfully and effectively

# Current Student Instruction

*Media Literacy | Digital Citizenship | Internet Safety*

- **Inclusive**: Hear and respectfully recognize multiple viewpoints. Engage with respect and empathy.
- **Informed**: Evaluate the accuracy, perspective, and validity of digital media/social posts.
- **Engaged**: Use technology and digital channels for civic engagement, to solve problems and be a force for good in both physical and virtual communities.
- **Balanced**: Make informed decisions about how to prioritize time/activities online and off.
- **Alert**: Aware of online actions and know how to be safe and create safe spaces for others.

# Improve Family & Student Education

*Many PTAs across Virginia host Family Tech Talk events to equip families and students with digital wellness resources.*

*State on-line educational resources should be expanded*

- Understand Digital Wellness & Digital Citizenship
- Online Addiction Identification & Management
- How to establish digital ground rules & have healthy family tech talks
- Using Parental Controls (Screen Limits, Smart Filters, Site Blockers, Content Ratings)
- Understand School-Based Protections & Controls
- Password Management
- Student Data Protections & Policies
- Identifying and Responding to Cyberbullying
- Managing Online Footprint & Protecting Personal Information
- Webcam Management
- Avoiding Scams

## STUDENT CENTERED RESOURCES

- Importance of open communication with adults about online activities
- Safe and responsible use of social media, including chat rooms, email and instant messaging.
- Copyright laws on photos, music, and videos.
- Risks of sending personal information and creation of a digital footprint.
- How to recognize and report suspicious or illegal communications including potential solicitation by sexual predators, harassment and cyberbullying.



*Thank you!*



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