

Battle lines form with latest student data privacy bill http://thehill.com/policy/cybersecurity/248880-battle-lines-form-with-newest-student-data-privacy-bill

By Cory Bennett - 07/22/15 05:48 PM EDT

A bipartisan House duo on Wednesday introduced yet another competing student data privacy bill.

Reps. Todd Rokita (R-Ind.) and Marcia Fudge (D-Ohio) are backing the measure, known as the Student Privacy Protection Act.

The offering — like several others in both chambers — would bar schools or private technology companies from selling or using student data for targeted ads. Like its rivals, the bill would also set minimum data security standards for companies handling sensitive student information.

"Mobile applications, cloud computing and other innovative tools play an increasingly important role in a student's education," said Rokita, chairman of the House Early Childhood, Elementary, and Secondary Education Subcommittee, in a statement. "Unfortunately, legal safeguards over student privacy have not kept pace with the rapid technological changes taking place in America's classrooms."

The measure would update the Family Educational Rights and Privacy Act (FERPA), which many agree has outdated digital privacy protections.

The alteration would also give parents the right to access, alter or delete certain information about their child.

"It is time our laws reflect today's technological reality," said Fudge, the education subcommittee's ranking member.

The Rokita-Fudge bill helps crystalize the battle lines separating two options for advancing student data privacy legislation.

Wednesday's offering could serve as a companion bill to an effort from Sens. Orrin Hatch (R-Utah) and Ed Markey (D-Mass.), since both revise FERPA to achieve similar goals.

Reps. Jared Polis (D-Colo.) and Luke Messer (R-Ind.) have a competing House measure that also has a Senate companion recently introduced by Sens. Richard Blumenthal (D-Conn.) and Steve Daines (R-Mont.).

The rival group wants to achieve the same end result without altering FERPA, which some critics have said is not strictly enforced by the Department of Education (DOE). Their bills would empower the Federal Trade Commission (FTC) to go after wayward companies.

The Rokita-Fudge offering does say the DOE can refer violations to the FTC, in addition to levying fines of their own.

Blumenthal recently told The Hill he thinks the lawmakers can work together and join their bills.

With the bipartisan backing on each measure, Blumenthal believes Congress can rapidly move consensus legislation, perhaps by the fall.



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