

## S 1788

### SAFE KIDS Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Education

**Introduced:** Jul 16, 2015

**Current Status:** Read twice and referred to the Committee on Commerce, Science, and Transportation.

**Latest Action:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (Jul 16, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/1788>

### Sponsor

**Name:** Sen. Daines, Steve [R-MT]

**Party:** Republican • **State:** MT • **Chamber:** Senate

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blumenthal, Richard [D-CT]	D · CT		Jul 16, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Jul 16, 2015

### Subjects & Policy Tags

#### Policy Area:

Education

### Related Bills

Bill	Relationship	Last Action
114 HR 2092	Related bill	<b>May 1, 2015:</b> Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

## **Safeguarding American Families from Exposure by Keeping Information and Data Secure Act or the SAFE KIDS Act**

Prohibits an operator of a school's Internet or online service from presenting elementary school, secondary school, or early childhood education program students, or their parents, with targeted advertisements that are selected based on information obtained or inferred from students': (1) online behavior or use of online or mobile applications, or (2) personally identifiable information. Exempts online advertisements that are contextually relevant and selected based on a single visit or session of use during which the advertisements are presented, provided that information about students' online behavior is not collected or retained over time.

Prohibits operators from: (1) selling students' personal information to third parties; or (2) collecting student information to create a personal profile or for purposes unrelated to educational instruction, school collaboration, or administrative activities.

Requires operators to implement information security procedures. Directs operators to delete certain student information that is not included in a student's education records: (1) within 45 days after a request through an educational agency, institution, or program from the student's parent; or (2) within two years after the information is no longer being used for school purposes and parents are notified of the impending deletion.

Requires operators to obtain consent from the educational agency, institution, or program, through contracts or privacy policies, regarding the types of personal information collected or generated, the purposes for which the information is used or disclosed to third parties, and the identity of any such third parties. Directs operators to disclose such privacy policies publicly on the operator's website.

Instructs operators to establish procedures for parents and system users to access and correct certain information.

Allows operators to disclose students' information only for certain lawful purposes or pursuant to a process that requires an affirmative express request through a student's educational agency, institution, or program from: (1) the student's parent in the case of information about a student or parent, or (2) a system user in the case of information about that user. Requires an operator to receive a student's or parent's request, through the student's educational agency, institution, or program, before disclosing transcripts or certain other information to a third party in furtherance of a student's postsecondary education or employment opportunities.

Requires third-party recipients to maintain security procedures and provide assurances that they will not further disclose received information.

Provides authority to the Federal Trade Commission to enforce this Act and treats violations as unfair or deceptive acts or practices under the Federal Trade Commission Act.

Authorizes a student who is at least 18 years of age, enrolled in an institution of higher education, or a secondary school graduate to provide any required consent or to exercise rights provided to parents under this Act.

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### **Actions Timeline**

- **Jul 16, 2015:** Introduced in Senate
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