

HR 2092

Student Digital Privacy and Parental Rights Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Education

Introduced: Apr 29, 2015

Current Status: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

Latest Action: Referred to the Subcommittee on Commerce, Manufacturing, and Trade. (May 1, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/2092>

Sponsor

Name: Rep. Messer, Luke [R-IN-6]

Party: Republican • **State:** IN • **Chamber:** House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Polis, Jared [D-CO-2]	D · CO		Apr 29, 2015
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Dec 18, 2015
Rep. Cartwright, Matt [D-PA-17]	D · PA		Dec 18, 2015
Rep. Davis, Rodney [R-IL-13]	R · IL		Dec 18, 2015
Rep. Delaney, John K. [D-MD-6]	D · MD		Dec 18, 2015
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Dec 18, 2015
Rep. Grijalva, Raúl M. [D-AZ-3]	D · AZ		Dec 18, 2015
Rep. Higgins, Brian [D-NY-26]	D · NY		Dec 18, 2015
Rep. Honda, Michael M. [D-CA-17]	D · CA		Dec 18, 2015
Rep. Kilmer, Derek [D-WA-6]	D · WA		Dec 18, 2015
Rep. Maloney, Sean Patrick [D-NY-18]	D · NY		Dec 18, 2015
Rep. McNerney, Jerry [D-CA-9]	D · CA		Dec 18, 2015
Rep. Russell, Steve [R-OK-5]	R · OK		Dec 18, 2015
Rep. Takano, Mark [D-CA-41]	D · CA		Dec 18, 2015

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Apr 29, 2015
Energy and Commerce Committee	House	Referred to	May 1, 2015

Subjects & Policy Tags

Policy Area:

Education

Related Bills

Bill	Relationship	Last Action
114 S 1788	Related bill	Jul 16, 2015: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Summary (as of Apr 29, 2015)

Student Digital Privacy and Parental Rights Act of 2015

Prohibits an operator of a school's Internet or online service that is designed and marketed for K-12 educational or administrative purposes from presenting students or parents with targeted advertisements that are selected based on information obtained or inferred from: (1) students' online behavior or use of online or mobile applications, or (2) personally identifiable information about the student. 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: (1) implement information security procedures and a process for responding to data breaches; (2) notify the Federal Trade Commission (FTC) and students, parents, educational agencies or institutions, school officials, or teachers of unauthorized acquisitions of, or access to, personal information; and (3) delete certain student information that is not required to be maintained by the school within 45 days after a request from an educational agency, institution, or student's parent or within one year after the operator ceases to provide the service.

Requires operators to disclose publicly the types of personal information they collect or generate, the purposes for which the information is used or disclosed to third parties, and the identity of any such third parties.

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 the student's or parent's express affirmative request. Requires an operator to receive the student's or parent's request before providing transcripts for admission to an institution of higher education or to a potential employer.

Provides authority to the FTC 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.

Actions Timeline

- **May 1, 2015:** Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
- **Apr 29, 2015:** Introduced in House
- **Apr 29, 2015:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.