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To: House Commerce and Economic Development Committee
From: Sue Ceglowski, Director of Legal and Policy Services
Re: S.110
Date: April 4, 2019

Thank you for the opportunity to testify on S.110. The Vermont School Boards Association, the Vermont Superintendents Association and the Vermont Principals' Association recognize that technology and online tools provide great potential to improve teaching and learning while also posing inherent risks and concerns regarding student data privacy.

The VSBA, VSA and VPA support the initial sections of S.110 setting out the duties and prohibitions of "operators" because these provisions establish important baseline protections for students. Districts that choose to impose further requirements on operators will also have access to the Vermont Student Data Privacy Model Agreement, which was developed by the Vermont Agency of Education with assistance from the VSBA.

The VSBA, VSA and VPA have concerns about the Vermont Attorney General's proposed amendment to S.110, which includes new limits and requirements on schools' disclosure of directory information and covered information, because those requirements may not be compatible with schools' obligations under the Family Educational Rights and Privacy Act (FERPA). Our organizations will be meeting with the Attorney General's Office this afternoon to discuss these concerns and work to develop mutually agreeable language.