

To: VT Senate Education Committee

RE: H.650

From: Vita-Learn, a non-profit organization representing Ed Tech professionals in VT

Date: April 13, 2026

Subject: Written testimony in regards to H.650 - An act relating to educational technology products

Introduction

Vita-Learn represents Vermont's educational technology leaders, dedicated to the effective and safe use of digital tools in our schools. In reviewing the current language of H.650, Vita-Learn notes and applauds an intent within the bill upon which schools have already undertaken considerable effort: student data privacy. The bill purports to ensure that edtech companies with whom schools contract abide by a code of conduct and provide a clearinghouse for vetting these contracted entities. Finally, while we share H.650's recognition that there should be processes in place to consider the efficacy of education technology products, the methods by which H.650 suggests the state would potentially go about this in the future raise concerns.

As highlighted in recent testimony by both Jeff Wallis, Director of Technology and Network Engineering at Mount Mansfield Unified Union School District, and Patricia Aigner, Director of Technology for Rutland City Schools, Vermont already possesses a robust, nationally recognized solution for data privacy through the Student Data Privacy Consortium (SDPC). Schools also have in place processes by which they vet edtech products prior to adoption within their districts. SDPC's Standard Student Data Privacy Agreement is already a multi-state standard and helps prevent Vermont from becoming an island with its own unique set of rules. As originally introduced, H.650 proposed the development of a new state-run certification process by another state entity that could dismantle the progress already made in these important areas and create significant regulatory and administrative burdens. We hope it is apparent that schools are, in fact, doing this work with fidelity; what might be most helpful would be to find a way to expand this work and support it for ALL schools without the creation of a new process outside of the control of schools and the education professionals within.

Key Concerns

The efficacy of software programs, platforms, and applications has always been a concern in schools. It is also often best defined by the user of a program, platform, or application. As an organization, we believe that teachers are best suited to make that judgment; in fact, our members often report that teachers reject a particular tool if it does not produce the results the teachers sought. We urge the sponsors of this bill to continue to let teachers and education professionals in the schools make that judgment.

As currently written, H.650 has an overly broad definition of "educational technology products" with a vague scope covering any and all student-facing software used for teaching that "may collect, process, or transmit student data." As Mr. Wallis noted in his testimony, this definition risks capturing

general productivity tools such as Google Docs, used widely to help students collaborate on projects, as well as specialized software such as the Adobe Suite and Corel Vector—both of which are key components of digital arts programs in our Vermont schools. Risking restricting access to these industry-standard tools would create a ‘digital divide’ between Vermont students and their peers nationally, potentially impacting their readiness for the modern workforce. How would an outside entity, such as the Secretary of State’s office, go about vetting these titles for certification? What criteria would the office develop, and could it be fairly and universally applied in a realistic timeframe?

We would also point out our concern that certain language in the proposed minimum criteria is highly subjective. For example, a state agency is asked to determine if a product is “better” than a “nondigital method.” Decisions of that nature are pedagogical decisions and therefore belong to teachers and education professionals, not central regulatory offices or agencies. Consider also the costs that would be turned back on the school districts if vendors need to pay an additional fee to be part of the certification process, as proposed in earlier versions.

Additionally, there seems to be an underlying concern throughout the act’s proposed language regarding screen time, and as an organization we are very aware of the national concern currently on this topic. We also are concerned that it is complex and not simply “solved” in the context of a school environment. The question then becomes: how do we manage this? Schools are very aware of this, and teachers work hard to balance this in their classrooms. Using screen time as a blanket concern to then limit teachers’ use of technology tools for learning—without any attempt to distinguish between passive screen consumption and active digital creation—is governing from the “outside,” which is difficult and puts an undue burden on schools to manage.

Lastly, with all of these aspects, how would any of this be overseen? Who determines if a particular school district is “over the limit” on its screen time? How is efficacy measured, and can it be generalized across a wide breadth of titles? How would an entity operating outside of a school environment deem something to not meet standards? What criteria would be established, and even if teachers were involved, how many committee hours would it take in an already busy day for teachers and staff?

Conclusion

We urge the committee to reconsider the creation of a new state certification workflow and instead work in partnership to utilize existing, proven frameworks. Organizations such as The Education Cooperative (TEC) provide access to expert legal review, constant monitoring of vendor terms, and vendor accountability for a small per-student fee, and many Vermont schools are already utilizing their services. We suggest working to expand this and, if needed, requiring schools to work towards the privacy standards many already meet.

By working with existing organizations and frameworks, Vermont can achieve high levels of security around student data privacy without the ambiguities, costs, and potential instructional disruptions likely to be caused by H.650 as currently drafted. We recommend taking screen time and efficacy as separate issues and considering recommendations that are updated regularly and based on sound educational practice.

As an organization focused on ensuring technology is used effectively and safely in our schools, we ask the committee not to conflate the need for technical compliance with data privacy standards with professional instructional judgment. While data privacy standards are universal, “efficacy” is context-dependent, varies by student population, and is best left in the hands of education professionals to evaluate.

Thank you for your time and consideration of this testimony today.

Signed,

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