By Senator Yarborough

A bill to be entitled2An act relating to student data; amending s. 1001.42,3F.S.; requiring a district school board to ensure that4all contracts between the school district and a third-5party entity contain a specified provision; providing6additional duties to a district school board to7contract with third-party entities; requiring a8district school board to publish on its website any9portion of a new or existing agreement made with a10third-party entity relating to student data collection11or dissemination; requiring a third-party entity that12violates a specified provision to have its contract13terminated within a specified timeframe; prohibiting a14third-party entity that commits a violation from15contracting with any school district in this state;16requiring a school district to report violations to17the Department of Education; requiring the department18to publish a violation on its website for a specified19time period; providing an effective date.2021Be It Enacted by the Legislature of the State of Florida:2223Section 1. Present subsection (29) of section 1001.42,24Florida Statutes, is redesignated as subsection (30), and a new25subsection (29) is added to that section, to read:261001.42 Powers and duties of district school boardThe27district school board, acting as a board, shall exercise all28 <th></th> <th>4-01653-25 20251254</th>		4-01653-25 20251254
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29 (29) THIRD-PARTY CONTRACTING REOUIREMENTS	28	powers and perform all duties listed below:
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CODING: Words stricken are deletions; words underlined are additions.

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30	(a) Ensure that all contracts or written agreements between
31	a school district and a third-party entity contain the following
32	language:
33	
34	Florida is a parental consent state. A third-party
35	entity may not collect or disseminate a child's
36	personal or private information gained through
37	interacting with a school district without full
38	disclosure and consent of the child's parent or
39	guardian. Any data collection effort, direct or
40	indirect, or planned or anticipated sale or transfer
41	of such data must be made explicitly clear by parties
42	engaging with a school district. Information may only
43	be used for data collection or dissemination through
44	clearly understandable opt-in provisions provided to
45	each student's parent or guardian. All opt-in
46	agreements must be published on the school district's
47	website for parental awareness.
48	
49	(b)1. Require third-party entities to disclose to the
50	school district any student information collection or
51	dissemination.
52	2. Require that third-party entities collect and
53	disseminate student data only upon receiving the required opt-in
54	agreements from each student's parent or guardian.
55	3. Any portion of a new or existing agreement made between
56	the school district and a third party-entity relating to student
57	data collection or dissemination must be posted on the school
58	district's website.

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60	third-party entity that violates this subsection within 5 days
61	after the determination that a violation occurred.
62	(d) Upon such determination, the third-party entity may not
63	contract with any school district in this state. The school
64	district shall report each violation to the department. The
65	violation must be published on the department's website for no
66	less than 6 months after the violation is determined.
67	Section 2. This act shall take effect July 1, 2025.