

Sub. S. B. No. 29  
As Passed by the Senate

\_\_\_\_\_ moved to amend as follows:

Delete lines 1253 through 1299

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After line 1299, insert:

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"Sec. 3319.327. (A) Except as described in division (B) of this section, a school district or technology provider shall not electronically access or monitor any of the following:

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(1) Location-tracking features of a school-issued device;

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(2) Audio or visual receiving, transmitting, or recording feature of a school-issued device;

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(3) Student interactions with a school-issued device, including, but not limited to, keystrokes and web-browsing activity.

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(B) Division (A) of this section does not apply in the following circumstances:

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(1) The activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted

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by a district, a vendor, or the department of education, and 17  
notice is provided in advance. 18

(2) The activity is permitted under a judicial warrant. 19

(3) The school district or technology provider is notified 20  
or becomes aware that the device is missing or stolen. 21

(4) The activity is necessary to prevent or respond to a 22  
threat to life or safety, and the access is limited to that 23  
purpose. 24

(5) The activity is necessary to comply with federal or 25  
state law. 26

(6) The activity is necessary to participate in federal or 27  
state funding programs. 28

(C) (1) In any year that a school district or technology 29  
provider elects to generally monitor a school-issued device for 30  
any of the circumstances described in division (B) of this 31  
section, the school district shall provide written notice of 32  
that monitoring to the parents of its enrolled students. 33

(2) In the event that one of the circumstances described 34  
in division (B) of this section is triggered, the school 35  
district shall, within seventy-two hours of the access, notify 36  
the student's parent and provide a written description of the 37  
triggering circumstance, including which features of the device 38  
were accessed and a description of the threat, if any. This 39  
notice is not required at any time when the notice itself would 40  
pose a threat to life or safety, but must instead be given 41  
within seventy-two hours after that threat has ceased. 42

Unless otherwise provided by law, no person shall release, 43  
or permit access to, educational support services data 44

concerning any student attending a public school for any 45  
purpose. 46

Educational support services data shall be made available 47  
to the opportunities for Ohioans with disabilities agency 48  
established in section 3304.15 of the Revised Code in 49  
furtherance of that agency's duties and supports to individuals 50  
with disabilities as described in Chapter 3304. of the Revised 51  
Code." 52

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 53

**Electronic monitoring for threat to life or safety and** 54  
**notice requirements** 55

**R.C. 3319.327** 56

Permits a school district or technology provider to 57  
monitor or access a school-issued device to prevent or respond 58  
to a threat to life or safety, instead of permitting such access 59  
to respond to imminent threats to life or safety. 60

Requires a school district to notify only a student's 61  
parent, rather than the student and the student's parent, of any 62  
monitoring of a school-issued device. 63

Clarifies that the school district, rather than the 64  
district or technology provider, is responsible for providing 65  
notice of monitoring of a school-issued device. 66

Requires that when a school district or technology 67

provider elects to generally monitor a school-issued device for 68  
any of the circumstances, the triggering of which would exempt 69  
the school district or technology provider from the prohibition 70  
against electronically accessing or monitoring devices, the 71  
school district must provide annual notice of that fact to its 72  
students' parents and clarifies that the bill's 72-hour notice 73  
provision is only required when one of the circumstances is 74  
triggered. 75