

By Senator Yarborough

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1 A bill to be entitled
2 An act relating to student data; amending s. 1001.42,
3 F.S.; requiring a district school board to ensure that
4 all contracts between the school district and a third-
5 party entity contain a specified provision; providing
6 additional duties to a district school board to
7 contract with third-party entities; requiring a
8 district school board to publish on its website any
9 portion of a new or existing agreement made with a
10 third-party entity relating to student data collection
11 or dissemination; requiring a third-party entity that
12 violates a specified provision to have its contract
13 terminated within a specified timeframe; prohibiting a
14 third-party entity that commits a violation from
15 contracting with any school district in this state;
16 requiring a school district to report violations to
17 the Department of Education; requiring the department
18 to publish a violation on its website for a specified
19 time period; providing an effective date.

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21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. Present subsection (29) of section 1001.42,
24 Florida Statutes, is redesignated as subsection (30), and a new
25 subsection (29) is added to that section, to read:

26 1001.42 Powers and duties of district school board.—The
27 district school board, acting as a board, shall exercise all
28 powers and perform all duties listed below:

29 (29) THIRD-PARTY CONTRACTING REQUIREMENTS.—

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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:

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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.

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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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59 (c) A school district shall terminate a contract with a
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.