Overview

Commercial Alert expressed concern to legislators throughout the country about the "electronic privacy invasion" in schools by the ZapMe! corporation. According to Commercial Alert, the ZapMe! corporation lends computers, a satellite dish and an internet server to schools with strings attached. The strings include:

- allowing the corporation to collect and distribute to marketers information about the students, including the students' names, addresses and telephone numbers;
- monitoring students' activities while they are on the web;
- directing advertising to students via the internet browser; and
- periodically distributing marketing materials for students to take home to their parents.

Commercial Alert wants states to require schools to disclose how ZapMe! proposes to use information it collects on the students who use its computers and to obtain parents' consent before ZapMe! can collect information on students.

This bill prohibits local school boards from entering into a contract for an electronic product or service that requires advertising to be disseminated to students unless the school board meets specified criteria.

1 Contracts for electronic products or services. Prohibits the school board of a school district from entering into a contract for an electronic product or service that requires advertising to be disseminated to students unless the school board:
(1) enters into the contract at a public hearing of the school board;
(2) finds that the offered electronic product or service is an integral component of students' education;
(3) finds that the school district can not afford to provide the electronic product or service unless it contracts to permit advertising to be disseminated to students;
(4) provides written notice to students' parents that advertising will be used in the classroom, media center, computer lab or other areas of learning;
(5) allows parents to request in writing that (i) their student not be exposed to the program that contains the advertising for the current school year or that (ii) any or all directory information relating to the student that is collected as a result of this contract is not disclosed; and
(6) honors parents' request that their student not be exposed to the advertising program or that directory information relating to the student is not disclosed, and allows parents to withdraw their request at any time.

**Effective date.** Makes section 1 immediately effective.