

2014 -- H 8052

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO EDUCATION - STUDENT DATA-CLOUD COMPUTING

Introduced By: Representatives McNamara, Canario, Keable, Newberry, and Bennett

Date Introduced: April 10, 2014

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended
2 by adding thereto the following chapter:

3 CHAPTER 103

4 STUDENT DATA-CLOUD COMPUTING

5 **16-103-1. Student data-cloud computing.** -- (a) For the purposes of this chapter:

6 (1) "Cloud computing service" means a service that enables convenient on-demand
7 network access to a shared pool of configurable computing resources to provide a student,
8 teacher, or staff member account-based productivity applications such as email, document
9 storage, and document editing that can be rapidly provisioned and released with minimal
10 management effort or cloud computing service provider interaction.

11 (2) "Cloud computing service provider" means an entity other than a public elementary or
12 secondary school that operates a cloud computing service.

13 (3) "Process" means to use, access, manipulate, scan, modify, transform, disclose, store,
14 transmit, transfer, retain, aggregate, or dispose of student data.

15 (4) "Student data" means any information in any media or format created or provided: (i)
16 By a student; or (ii) By a school board employee about a student in the course of using a cloud
17 computing service, including the student's name, email address, postal address, email message,
18 documents, unique identifiers, and metadata.

19 (b) Notwithstanding any general or special law to the contrary any person who provides a

1 cloud computing service to an educational institution operating within the state shall process data
2 of a student enrolled in kindergarten through twelfth (12th) grade for the sole purpose of providing
3 the cloud computing service to the educational institution and shall not process such data for any
4 commercial purposes, including, but not limited to, advertising purposes that benefit the cloud
5 computing service provider.

6 (c) Each cloud computing service that enters into a contract to provide such services shall
7 certify in writing that it shall comply with the provisions of this section.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO EDUCATION - STUDENT DATA-CLOUD COMPUTING

1 This act would limit the use of student data and information obtained by certain cloud
2 computing service providers and would prohibit the use of such data for any commercial purpose.
3 Cloud computing is a service which enables users to store and access certain information via an
4 on-demand network.

5 This act would take effect upon passage.

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