

## Definitions

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Covered Information -- personally identifiable information or information that is linked to personally identifiable information, in any media or format, that is not publicly available and is:

- a) created by or provided to an operator by a student or the student's parent in the course of the student's or parent's use of the operator's website, online service, online application, or mobile application for a school purpose;
- b) created by or provided to an operator by an employee of a school district or school campus for a school purpose; or
- c) gathered by an operator through the operation of the operator's website, online service, online application, or mobile application for a school purpose and personally identifies a student, including the student's educational record, electronic mail, first and last name, home address, telephone number, electronic mail address, information that allows physical or online contact, discipline records, test results, special education data, juvenile delinquency records, grades, evaluations, criminal records, medical records, health records, social security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious information, text messages, student identifiers, search activity, photograph, voice recordings, or geolocation information. ([Texas Education Code, Section §32.151](#))

Electronic device -- a device that is capable of connecting to a cellular network or the internet, including: a computer, a smartphone, or a tablet. ([Texas Education Code, Section §32.101](#))

Internet filter -- a software application that is capable of preventing an electronic device from accessing certain websites or displaying certain online material. (Texas Education Code, Section §32.101)

Operator -- the operator of a website, online service, online application, or mobile application who has actual knowledge that the website, online service, online application, or mobile application is used primarily for a school purpose and was designed and marketed for a school purpose. ([Texas Education Code, Section §32.151](#))

## Standards

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In accordance with [Texas Education Code, Section §32.1021](#), the TEA provides these [Standards for Electronic Devices and Software Applications](#) with which school districts or open-enrollment charter schools are expected to comply.

1. Data collection conducted on students, to include personally identifiable information, through electronic devices and software applications shall be minimized;
2. Direct and informed parental (or person standing in parental relation) consent is required for a student's use of software applications, other than a software application necessary for the administration of an assessment instrument or an assessment relating to college, career, or military readiness for which student performance is considered in evaluating a school district's performance;
3. Software applications must not conduct mental health assessments or other assessments unrelated to educational curricula that are intended to collect information about students without direct and informed parental (or person standing in parental relation) consent;
4. Parents or persons standing in parental relation shall be provided all resources necessary to understand cybersecurity risks related to their student's use of electronic devices before the student may use an electronic device at their school;

5. Districts and open-enrollment charter schools shall deactivate an electronic device transferred to a student if school system staff are made aware of searches or activity that pose a risk to student safety (e.g., when internet search history indicates a query regarding violent topics, self-harm, etc.). Access to a device may be restored after the event has been appropriately addressed, to include consultation with the district's Safe and Supportive Schools Program Team and discussions with the student or parents, as appropriate;
6. Districts and open-enrollment charter schools should consider necessary adjustments, by age level, to the use of electronic devices in the classroom to foster development of students' abilities regarding spending school time and completing assignments without the use of an electronic device;
7. Districts and open-enrollment charter schools should consider appropriate restrictions on student access to social media websites or applications with an electronic device transferred to a student;
8. Before using a social media application for an educational purpose, districts and open-enrollment charter schools must evaluate alternative applications in an effort to determine whether they are more secure and provide the same educational purpose;
9. Districts and open-enrollment charter schools must consider use of an internet filter capable of notifying appropriate school administrators, who are then required to notify the student's parent or person standing in parental relation, if a student accesses inappropriate or concerning content or words, including, but not limited to, content related to: self-harm, suicide, violence to others, or illicit drugs. When a student accesses content involving harmful, threatening, or violent behavior, the school system must follow established suicide prevention programs, intervention policies and procedures, and make appropriate notifications to the Safe and Supportive Schools Program Team established under [Texas Education Code, Section §37.115](#), as applicable.
10. Districts and open-enrollment charter schools must assign appropriate personnel with the duty to receive complaints or concerns regarding student use of electronic devices, including cybersecurity and online safety concerns, from district or school staff, other students, or parents (or persons standing in parental relation); and
11. Districts and open-enrollment charter schools shall consult with district information technology staff and legal counsel, as appropriate, to ensure an operator that contracts with the school system to provide software applications complies with Texas Education Code Chapter 32, Subchapter D.