

# ASSEMBLY, No. 3948

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 12, 2022

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**SYNOPSIS**

Prohibits cloud computing service providers from disclosing data collected from public, private, or charter schools.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning cloud computing service provider contracts  
2 with public, private, or charter schools and supplementing Title  
3 18A of the New Jersey Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. As used in P.L. , c. (C. ) (pending before the  
9 Legislature as this bill):

10 "Charter school" means a school established pursuant to  
11 P.L.1995, c.426 (C.18A:36A-1 et seq.).

12 "Cloud computing service" means a service that enables on-  
13 demand self-service network access to a shared pool of configurable  
14 computer resources to provide a school's student, teacher, or staff  
15 member account-based productivity applications such as electronic  
16 mail, document storage, and document editing, which can be rapidly  
17 provisioned and released with minimal management effort or cloud  
18 computing service provider interaction.

19 "Cloud computing service provider" means an entity, other than  
20 an educational institution, that operates a cloud computing service.

21 "Educational record" means an official record, file, or data, in  
22 any medium or format, directly related to a student as provided by a  
23 student in the course of the student's use of the cloud computing  
24 service, or provided and maintained by the school, including, but  
25 not limited to, records encompassing all the material kept in the  
26 student's cumulative folder, such as general identifying data,  
27 electronic mail addresses, records of attendance, records of  
28 academic work, records of achievement, results of evaluative tests,  
29 health data, disciplinary status, test protocols, and individualized  
30 education programs.

31 "Private school" shall have the same meaning as provided in  
32 N.J.S.18A:1-1.

33 "Process" or "processing" means to use, access, manipulate,  
34 scan, modify, transform, disclose, store, transmit, transfer, retain,  
35 aggregate, or dispose of educational records.

36 "Public school" shall have the same meaning as provided in  
37 N.J.S.18A:1-1.

38 "School" means a charter, private, or public school.  
39

40 2. a. A cloud computing service provider to a school in this  
41 State shall not disclose an educational record collected or  
42 maintained by the cloud computing service provider to any person  
43 other than a student, teacher, or staff member of the school. A  
44 cloud computing service provider shall process or monitor an  
45 educational record solely to provide the cloud computing service to  
46 the school and to maintain the integrity of the cloud computing  
47 service.

