

# United States Senate

WASHINGTON, DC 20510

August 12, 2019

Mr. Michael Newton  
90 W Moreno Street  
Buford, Georgia  
30518

Dear Mr. Michael Newton:

We are writing to express our concern about the vast amount of data being collected about our nation's students and to request more information about your company's use, retention, and retail of student data.

We are uncovering a shocking new way that Americans' personal data is being collected and, potentially, exploited. We are concerned that schools, parents, and students are at risk of having significant amounts of data stolen, collected, monetized, or sold without their permission or knowledge. Last year, Fordham University Law School's Center on Law and Information Policy found that data brokers make student lists based on sensitive information ranging from Grade Point Average and ethnicity to religion and affluence, among other categories, commercially available.

This data could be used for a range of malicious purposes, including discrimination and identity theft. We are concerned that in many cases, students may not even realize that their data is being retained and vulnerable to use by a wide range of third parties. We request a response to the following questions no later than September 3, 2019.

1. List and describe each type of data your company collects and retains about students.
  - a. What are the sources of this data, including the types and names of third parties that share or sell this data to you?
  - b. What is the purpose of collecting and retaining such data?
  - c. How long do you retain this data and what is your process for deleting collected information?
  - d. In the event of a merger, acquisition, bankruptcy, or dissolution of your company, how would this data be handled?
  - e. Are students or parents able to easily correct, delete, or acquire a copy of any student data that has been retained by your company?
  - f. Are students or parents able to opt-out of your collection, retention, or disclosure of student data?
  
2. Are students and parents aware that you use, retain, or disclose student data? How are they made aware?

3. Under what conditions, and to whom, do you disclose student data to third parties?
4. What safeguards do you have in place to ensure that data you disclose to third parties is being used in a manner consistent with your own policies and practices?
5. Has a data breach ever occurred on your online servers or databases, or those of any of your subsidiaries or subcontractors?
  - a. If yes, please provide the date of this breach, how many students were affected, what types of data were included in the breach, whether the data was personally identifiable, and whether this breach was disclosed to all stakeholders in writing.
6. Please provide the privacy policies, disclosures, notices, and consent forms provided to students and/or parents whose data you collect, use, retain, or disclose including whether parents are involved in any of these steps.
7. Please list and describe any consulting services or student lists that you offer for sale and include the labels or categories for each list.
  - a. How does your company use data to group students into labels or categories for marketing solicitations?

The amount of data that is being generated and collected on our nation's children is staggering. These young people have a right to know what is being collected about them, and they deserve to have direct control over any data being retained.

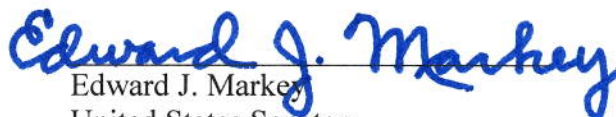
We urge you to make a clear statement to students that you are committed to transparent and fair data collection practices. We encourage you to adopt a comprehensive data privacy policy that ensures your company is directly obtaining informed consent from parents and students, and allows parents and students to fully delete any data retained by your company.

Thank you for your attention to this important issue. We look forward to your prompt response.

Sincerely,



Richard J. Durbin  
United States Senator



Edward J. Markey  
United States Senator



Richard Blumenthal  
United States Senator