

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 31

Introduced by Conrad, 46.

Read first time January 09, 2025

Committee: Education

1 A BILL FOR AN ACT relating to schools; to state legislative findings; to
2 require the State Board of Education to develop a model policy
3 relating to the use of student surveillance, monitoring, and
4 tracking technology by school districts as prescribed; and to
5 require each school board to adopt a policy consistent with the
6 model policy.

7 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) The Legislature finds and declares that:

2 (a) The use of student surveillance, monitoring, and tracking
3 technology tools by school districts, other governmental entities, and
4 companies contracting with schools for the use of student surveys and
5 student surveillance, monitoring, and tracking has grown exponentially in
6 recent years, raising serious concerns about transparency, use of
7 taxpayer dollars, parental rights, and student privacy;

8 (b) The intersection of government and technology companies
9 utilizing tools of mass surveillance raises concerns regarding civil
10 rights and civil liberties;

11 (c) Numerous public schools in Nebraska have instituted various
12 tracking systems that surveil and monitor students. The tracking systems
13 include, but are not limited to, digital hall passes, anti-vaping
14 devices, fingerprints swipes, cameras, and electronic surveys;

15 (d) Tools of mass surveillance are being purchased and utilized with
16 taxpayer funds through contracts with private companies;

17 (e) Certain tools of mass surveillance may be of legitimate use for
18 educational purposes and certain technologies can advance the public
19 policy goals of student success and school safety; and

20 (f) Parents have a well-established and fundamental right to control
21 their children's education. Students have a well-established and
22 fundamental right to privacy from unwarranted government surveillance.
23 Taxpayers have a well-established right to ensure public entities are
24 good stewards of public funds and a well-established right to
25 transparency for governmental operations and expenditures.

26 (2) The Legislature further finds that public funds should be
27 primarily dedicated to frontline classroom needs and that tools of mass
28 surveillance that are purchased for use in schools under the guise of
29 advancing security or efficiency goals should not compromise personal
30 liberty or evade citizen transparency.

31 **Sec. 2.** (1) On or before December 1, 2025, the State Board of

1 Education shall develop and distribute a model policy relating to the use
2 by school districts of student surveillance, monitoring, and tracking
3 technology. At a minimum, such policy shall require school districts to:

4 (a) Specifically identify and inventory the type of surveillance
5 tools or student surveys which gather personal information considered for
6 use or actually used in the school district, including:

7 (i) The name and contact information for each private company,
8 vendor, or governmental entity, providing such technology;

9 (ii) The cost of each surveillance, monitoring, and tracking
10 technology tool to purchase and maintain;

11 (iii) A description of each student surveillance, monitoring, and
12 tracking technology tool, including a description of privacy protection
13 measures for each tool and data collection and data sharing and usage
14 activities;

15 (iv) Whether or not parents may opt their student out of being
16 subjected to a student surveillance, monitoring, and tracking tool;

17 (v) If and how the data from a student surveillance monitoring, and
18 tracking technology tool will be shared with law enforcement or implicate
19 punitive actions under the Student Discipline Act;

20 (vi) How student surveillance monitoring, and tracking technology
21 tools ensure proper accommodations for students with disabilities or
22 individualized education programs;

23 (vii) How biometric or personally identifiable information is
24 stored, shared, or sold with the private companies, vendors, or
25 governmental entities providing such tools; and

26 (viii) Clearly delineate what remedies are available to students and
27 parents for violations of personal privacy related to such surveillance,
28 monitoring, and tracking technology tools, including, but not limited to,
29 under the Consumer Protection Act, the Political Subdivisions Tort Claims
30 Act and section 79-2,104; and

31 (b) Post the inventory and information related to surveillance,

1 monitoring, and tracking technology tools considered for use or actually
2 utilized by the school district on the school district's website and
3 ensure such inventory and information is available in hard copy upon
4 request.

5 (2) Beginning May 1, 2026, each school board shall adopt a written
6 policy to be implemented by the school district at the start of school
7 year 2026-27 which provides for standards and guidelines for the purchase
8 and use of tools of mass surveillance. Such policy shall include
9 procedures and provisions in conformance with the minimum standards set
10 forth in the model policy developed by the State Board of Education
11 pursuant to subsection (1) of this section, and may include any other
12 procedures and provisions the school board deems necessary to conform
13 with the spirit and intent of this section and section 1 of this act.