

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3547

By: Maynard

AS INTRODUCED

An Act relating to schools; creating the Parent Data Sovereignty Act of 2026; declaring legislative findings and intent; defining terms; clarifying ownership of certain student data; prohibiting student data use for commercial purposes; declaring parental rights to obtain student data and opt out of certain data collection activities; prohibiting collection of student data under certain circumstances without parental consent; requiring legislative approval for certain data collection; prohibiting transfer of student data to other agencies and private organizations; requiring the State Department of Education to create a parent opt-out form; prohibiting penalization of students for opting out; mandating the creation of a Data Transparency Portal; providing portal content; requiring contractors and vendors to take certain steps to protect student data; providing penalties for violations; requiring the State Department of Education to promulgate rules; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-168.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

1 A. This act shall be known and may be cited as the "Parent Data
2 Sovereignty Act of 2026".

3 B. 1. The Legislature finds that:

- 4 a. parents possess a fundamental right to direct the
- 5 upbringing, education, and privacy of their children,
- 6 b. public agencies exist to serve citizens, not to
- 7 compile or commercialize data on them,
- 8 c. current state and federal education data systems
- 9 collect and retain personally identifiable student
- 10 information without sufficient transparency, consent,
- 11 or parental control, and
- 12 d. the preservation of liberty in the digital age
- 13 requires explicit limits on the collection, retention,
- 14 and disclosure of personal data by state agencies.

15 2. It is the intent of the Legislature to affirm that parents
16 are the primary stewards of their children's information, to
17 restrict government data collection to what is legally necessary,
18 and to provide parents clear rights of notice, access, and consent.

19 C. As used in this act:

20 1. "Personally identifiable educational data (PIED)" means any
21 information maintained by a state education agency or contractor
22 that could identify an individual student or parent, including but
23 not limited to, name, student identification, demographic data,

1 disciplinary history, test results, biometric or health data, or any
2 combination thereof;

3 2. "Parent" means a natural parent, guardian, or person with
4 legal authority to make educational decisions for the student;

5 3. "State education agency" means the State Department of
6 Education and any other public entity or vendor authorized to
7 collect or process student data; and

8 4. "Longitudinal linkage" means any state database that links
9 student information across years, programs, or agencies for tracking
10 educational or workforce outcomes.

11 D. All personally identifiable educational data relating to a
12 minor child is the property of the parent until the student reaches
13 eighteen (18) years of age. State agencies and their contractors
14 shall act only as custodians of personally identifiable educational
15 data and shall not obtain any proprietary or ownership interest of
16 such data. No state education agency or local school district shall
17 sell, trade, or license any student data for commercial purposes.

18 E. A parent shall have the right to:

19 1. Obtain, within thirty (30) days of request, a complete
20 record of all data elements collected or maintained on his or her
21 child by any state education agency or local school district;

22 2. Request correction or deletion of any inaccurate or
23 unnecessary data;

1 3. Opt out of any nonessential collection or data linkage
2 beyond what is required by state or federal law for enrollment,
3 funding, or accountability;

4 4. Opt out of inclusion in any research study, predictive
5 analytics model, artificial intelligence training dataset, or cross-
6 agency workforce linkage; and

7 5. Receive annual written notice from the school district and
8 the State Department of Education listing data elements collected,
9 their purpose, and all authorized data-sharing agreements.

10 F. 1. No personally identifiable educational data shall be
11 collected unless expressly authorized by state or federal law. The
12 following categories shall not be collected or retained without the
13 written consent of a parent:

- 14 a. political or religious affiliation or beliefs,
- 15 b. family income or tax information other than free and
16 reduced lunch eligibility,
- 17 c. biometric, health, or psychological data unrelated to
18 special education services,
- 19 d. student social media identifiers or Internet activity,
20 and
- 21 e. any data not directly necessary for educational
22 instruction or accountability.

1 2. New data elements proposed for collection by the State
2 Department of Education shall receive legislative approval following
3 public notice and hearing before implementation.

4 G. 1. Personally identifiable student data shall not be
5 transferred to any federal or state agencies, including but not
6 limited to, workforce, health, or human services agencies, or to any
7 private contractor or nonprofit organization without the written
8 consent of the parent, or the student if the student has reached
9 eighteen (18) years of age, unless otherwise authorized by law.

10 2. Any data-sharing arrangement between multiple agencies shall
11 be disclosed publicly through the Data Transparency Portal
12 established under subsection I of this section.

13 H. 1. The State Department of Education shall develop a
14 standardized Parent Data Opt-Out Form, available electronically and
15 in paper format. Upon receipt of a completed form, the local school
16 district shall exclude the applicable student's records from
17 longitudinal and cross-agency linkage, and only de-identified or
18 aggregate data shall be used for state reporting purposes.

19 2. No student shall be penalized, denied enrollment, or suffer
20 academic disadvantage for opting out of data sharing as permitted by
21 this section.

22 I. In addition to the requirements of Section 3-168 of this
23 title, the State Department of Education shall create and maintain a
24 publicly accessible Data Transparency Portal that:

1. Lists all data elements collected by the Department;
2. Identifies which elements are mandatory versus optional;
3. Publishes copies of all active vendor contracts and data-sharing agreements;
4. Reports all data breaches or unauthorized disclosures within thirty (30) days; and
5. Posts annual privacy and security compliance audits required under this section.

J. 1. Any contractor or vendor handling student data shall:

- a. sign a Parent Data Privacy Agreement acknowledging its obligations under this section,
- b. employ industry standard encryption, multi-factor authentication, and secure data storage protocols,
- c. delete or return all data within ninety (90) days of contract termination, and
- d. submit to random privacy and security audits by the State Department of Education or an independent third-party auditor.

2. Vendors found in violation may be barred from future contracts for a period of up to five (5) years.

K. 1. Any person or entity that violates any provision of this section shall be subject to a civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) per violation, which may be assessed by a court of competent jurisdiction. Each unauthorized disclosure,

1 transfer, sale, or use of personally identifiable educational data
2 shall constitute a separate violation.

3 2. Any person who knowingly or intentionally discloses, sells,
4 transfers, or otherwise makes available personally identifiable
5 educational data in violation of this section shall be guilty of a
6 misdemeanor, punishable by imprisonment in the county jail for a
7 term not to exceed one (1) year, or by a fine not to exceed One
8 Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

9 3. Parents may bring a private cause of action for injunctive
10 relief and damages in the district court of competent jurisdiction
11 for harm caused by violations of this section.

12 L. The State Board of Education shall promulgate rules to
13 implement the provisions of this section within one hundred eighty
14 (180) days of the effective date of this act.

15 SECTION 2. This act shall become effective November 1, 2026.

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