

Chair Castro, Subcommittee Chair Cunningham, and Members of the Committee:

On behalf of Illinois school districts and school leaders, thank you for the opportunity to provide written testimony regarding the proposed Student Educational Technologies Rights Act (SB 3735).

We appreciate the intent of this legislation to address important issues related to student privacy, the appropriate use of technology, and increased transparency for families. These are priorities that school district leaders share and have been actively working to address in partnership with parents and communities as technology becomes more integrated into education.

As we review the proposal from a district leadership and operational perspective, we would offer several considerations and questions regarding implementation, cost, and alignment with existing legal and educational frameworks.

The bill provides broad rights for students and parents to opt out of educational technologies while requiring school districts to provide a “comparable analog version.” From an operational standpoint, this raises important questions about how districts are expected to define and ensure parallel experiences across digital and non-digital formats. It is unclear what standards or guidance will be provided to ensure consistency across districts, particularly in situations where a comparable analog version may not exist or may not provide the same level of access or engagement. This requirement appears to necessitate the maintenance of parallel instructional systems, which may introduce complexity in curriculum alignment, resource allocation, and consistency of student experience.

From a fiscal perspective, we are concerned about the potential cost implications associated with these requirements. The proposal appears likely to increase expenditures related to printed instructional materials, supplemental resources, administrative oversight, and legal compliance. At the same time, these costs would be driven by individual opt-out decisions that may fluctuate over time, making them difficult to predict and incorporate into responsible budget planning.

The proposal also introduces new administrative responsibilities related to tracking student opt-outs, managing data-related requests, and overseeing vendor compliance. These requirements raise questions about what systems or processes are anticipated to support districts in meeting these expectations, as well as what level of documentation will be required to demonstrate compliance. As written, the bill appears to expand administrative responsibilities at a time when many districts are already operating with limited capacity.

We would appreciate clarification regarding how this proposal aligns with federal requirements. In particular, we have questions regarding how districts should navigate situations in which opt-out provisions may conflict with federally required activities, such as statewide assessments administered to meet accountability expectations. Clear guidance in this area will be essential to ensure districts are not placed in a position of conflicting compliance obligations.

School district leaders are also mindful of their responsibility to provide a free appropriate public education to students with disabilities. The bill's prohibition on the use of biometric information raises important questions about how districts can continue to provide certain assistive technologies that rely on features such as facial recognition or speech recognition. Tools commonly used to support accessibility (like devices that use facial recognition for secure access or software that converts speech to text) may fall within the scope of this prohibition. This creates uncertainty about whether districts would be restricted from purchasing or utilizing these technologies when they are necessary to implement a student's individualized education program. Additional clarity is needed to ensure that districts can continue to provide appropriate supports and services without creating conflicts with federal obligations to serve students with disabilities.

Finally, districts across Illinois have made significant investments in educational technology and data systems to support both instruction and operations. This proposal raises questions about how those investments will be impacted moving forward and whether additional flexibility or a phased approach to implementation may be considered to allow districts to adapt thoughtfully.

School district leaders are committed to protecting students, supporting families, and ensuring the responsible use of technology in education. We believe these goals are both important and achievable. At the same time, the considerations outlined above reflect areas where additional clarity, guidance, and collaboration would be beneficial to support effective implementation and avoid unintended consequences.

We appreciate the opportunity to share these perspectives and would appreciate an opportunity for continued dialogue if the proposal is considered.

Jennifer Figurelli, Executive Director, LEND/SCOPE/IHSDO

Arabed Hernandez, Assistant Executive Director, ED-RED

Emily Warnecke, Chief of Staff, Illinois Association of School Administrators/Illinois Association of School Business Officials