



Ohio Revised Code

Section 3319.327 Monitoring of school-issued devices.

Effective: December 9, 2024

Legislation: House Bill 432

(A) Except as described in division (B) of this section, a school district or technology provider shall not electronically access or monitor any of the following:

- (1) Location-tracking features of a school-issued device;
- (2) Audio or visual receiving, transmitting, or recording feature of a school-issued device;
- (3) Student interactions with a school-issued device, including, but not limited to, keystrokes and web-browsing activity.

(B) Division (A) of this section does not apply in the following circumstances:

- (1) The activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by a district, a vendor, or the department of education and workforce.
- (2) The activity is permitted under a judicial warrant or subpoena unless otherwise prohibited by state or federal law.
- (3) The school district or technology provider is notified or becomes aware that the device is missing or stolen.
- (4) The activity is necessary to prevent or respond to a threat to life or safety, and the access is limited to that purpose.
- (5) The activity is necessary to comply with federal or state law.
- (6) The activity is necessary to participate in federal or state funding programs.



(C)(1) In any year that a school district or technology provider elects to generally monitor a school-issued device for any of the circumstances described in division (B) of this section, the school district shall provide written notice of that monitoring to the parents of its enrolled students.

(2) In the event that one of the circumstances described in division (B)(2) or (3) of this section is triggered and the school district initiates responsive action, the school district shall, within seventy-two hours of the access, notify the student's parent and provide a written description of the triggering circumstance, including which features of the device were accessed and a description of the threat, if any. This notice is not required at any time when the notice itself would pose a threat to life or safety.

(3) In the event that one of the circumstances described in division (B)(4) of this section is triggered and the school district initiates action in response to division (B)(4) of this section or pursuant to section 2151.421, 3313.66, 3313.666, or 3313.669 of the Revised Code, the school district shall, within seventy-two hours of the access, notify the student's parent and provide a written description of the triggering circumstance, including which features of the device were accessed and a description of the threat, if any. This notice is not required at any time when the notice itself would pose a threat to life or safety.

Unless otherwise provided by law, no person shall release, or permit access to, educational support services data concerning any student attending a public school for any purpose.

Educational support services data shall be made available to the opportunities for Ohioans with disabilities agency established in section 3304.15 of the Revised Code in furtherance of that agency's duties and supports to individuals with disabilities as described in Chapter 3304. of the Revised Code.

(D) A contract entered into between a school district and a county board of developmental disabilities, educational service center, joint vocational school district, another school district, or an information technology center for services, including the general monitoring or access of school-issued devices, shall indicate which entity is responsible for providing notice under this section.