



August 5, 2026

The Honorable Ted Cruz
United State Senate
Washington, DC 20510

The Honorable Maria Cantwell
United State Senate
Washington, DC 20510

Re: Senate Commerce, Science, and Transportation Child Online Safety Markup

Dear Senators Cruz and Cantwell:

Thank you for your continued focus on child privacy protections. As co-chairs of the Federal Education Privacy Coalition, we welcome the opportunity to respond to the child privacy and online safety bills your committee is scheduled to mark up on August 5. AASA, The School Superintendents Association is the national professional organization representing the nation's public school superintendents. Public Interest Privacy Center is a nonprofit, nonpartisan organization committed to ensuring an environment where all children enjoy privacy-protected benefits of emerging technologies and data use.

Our organizations prioritize the privacy of student and child data, and we strongly support updates to child privacy protections. Minors are uniquely vulnerable to harms online and deserve heightened protections to keep them safe. As you consider modernizing protections for children online, we urge you to ensure those protections extend to children not only at home, but also at school, keeping in mind the following principles:

Congress must ensure that companies cannot deploy AI systems in schools without notice, district permission, meaningful safeguards, and accountability. Federal policy should empower schools to decide how best to provide technology-enhanced educational experiences that are safe, effective, and privacy-protective. Strong privacy protections governing how education technology—including AI systems—collect, use, and retain minors' personal information are essential. Companies should never be able to exploit their access to classrooms to make students into involuntary test subjects for untried and unproven technology.

As the Committee considers how to ensure families have meaningful protections and choices about how their children can access education technology and AI's benefits while mitigating or eliminating its risks, education technology companies must be held to *at least* the same safety requirements and privacy protections as any other company. We encourage Congress to require that companies that want access to children and students must adhere to strong, foundational protections that can reduce and mitigate foreseeable harms before they occur. Companies that develop and market edtech must remain accountable when they fail to protect

students, misuse data, or otherwise fail to meet their obligations under federal child privacy and online safety laws.

Require that companies give schools the same ability as parents to provide privacy and safety protections at school. Just as the bills being marked up today provide parents with enhanced rights that empower them to better protect their children, schools must equally be able to apply those same protections when those children are at school. Parents and schools must be able to hold companies accountable for both providing foundational protections and empowering them to put in place important safeguards, such as minimizing a company's unnecessary data collection, turning off manipulative design features, and giving educators the ability to make deliberate and informed decisions about how much personal information should be remembered by education technology tools, including AI.

Finally, **we urge you to ensure that existing protections for children are maintained as we discover more about the benefits and harms of this technology and states determine the best ways to ensure students' safety.** We urge you to oppose the inclusion of any federal preemption provisions that would weaken existing protections for children under state law or prevent states from responding to emerging harms. States play a critical role in advancing children's privacy and safety online, and federal legislation should establish a strong national policy floor, not a ceiling.

Students can benefit from high-quality digital tools. However, technology can only deliver on this promise when school leaders are able to make deliberate decisions about whether, how, and when it should be integrated into the classroom. As education technology continues to evolve and expand, including AI being increasingly integrated into educational technology and other products used by children, families and educators must be able to trust that companies that want to serve students must adhere to and will be held accountable for providing foundational privacy, safety, and security protections.

Thank you for considering our views. We look forward to continuing to work with you on these important issues.

Sincerely,

Noelle Ellerson Ng
Chief Advocacy & Governance Officer
AASA, The School Superintendents Association

Amelia Vance
Founder & President
Public Interest Privacy Center

CC: U.S. Senate Commerce Committee
Sen. John Thune
Sen. Charles Schumer