

United States Senate

WASHINGTON, DC 20510

August 12, 2019

Mr. Sundar Pichai
1600 Amphitheatre Parkway
Mountain View, California
94043

Dear Mr. Pichai:

We are writing to express our concern about the vast amount of data being collected about our nation's students and to request more information about your company's data collection practices.

Education technologies (EdTech) can be important learning tools that allow teachers to follow student progress and facilitate collaboration. However, this technology may put students, parents, and educational institutions at risk of having massive amounts of personal information stolen, collected, or sold without their permission or knowledge. In September 2018, the Federal Bureau of Investigation issued a Public Service Announcement warning that malicious use of data collected by EdTech could result in "social engineering, bullying, tracking, identity theft, or other means for targeting children." Earlier this year, *The Wall Street Journal* reported that hackers had obtained personal information from prospective applicants to three U.S. colleges through Slate, a college admissions database.

These stories and warnings are occurring with alarming frequency. Beyond serious safety and security risks, students have little control over how their data is being collected and used. Students and parents are often unaware of the amount and type of data being collected about them and who may have access to it. We request a response to the following questions no later than September 3, 2019.

1. List and describe any online courseware offerings, software, or electronic devices for K-12, as well as higher education, that you have put into production since your company was founded.
 - a. How many educational institutions and students have used your courseware, software, or electronic devices as of August 12, 2019?
 - b. What is the age range of students using your courseware, software, or electronic devices?

2. List and describe each type of data collected from students, parents, teachers, or educational institutions through your courseware, software, or electronic devices.
 - a. How long do you retain this data and what is your process for deleting collected information?
 - b. Are students or parents able easily to opt-out of, correct, delete, or acquire a copy of any data that has been collected by your company?
 - c. Do you sell products or services that make use of data collected through courseware, software, or electronic devices offered by your company?

- d. In the event of a merger, acquisition, bankruptcy, or dissolution of your company, how would this data be handled?
 - e. Do students or parents have the option to cease data collection or retention prior to a change in company ownership? How does this look in practice?
 - f. Is any data used for advertising purposes, hosted on a third party platform, or otherwise shared with or sold to third parties, including subcontractors, subsidiaries, data brokers, or universities? If yes, please explain and explain what safeguards are in place to ensure that third parties' use of this data is limited and the purpose for each third party's access.
3. List and describe any other sources of student data that you receive, including the types and names of third parties that share or sell this data to you.
4. Do you use your courseware, software, or electronic devices to group students into labels or categories, and if so, are students, parents, educational institutions, or other third parties given access to these labels or categories?
 - a. If yes, please list and describe the data you collect to determine to which label or category a student is assigned.
5. Do you ask students to fill out a survey, create a login, or disclose personal information, such as address, date of birth, or involvement in official activities, to use your products, including to view your Terms of Service or End User License Agreement?
6. Please describe and provide copies of the disclosures, notice, and consent made available to students, parents, and educational institutions using your online courseware, software, or electronic devices.
7. Has a data breach or other unauthorized acquisition of data ever occurred on your online servers or databases or those of any of your subsidiaries or subcontractors?
 - a. If yes, please provide the date of this breach, how many students, educational institutions, and parents were affected, and whether this breach was disclosed to all users in writing.
8. What is your company's understanding of its obligations under the Family Education Rights and Privacy Act and the Children's Online Privacy Protection Act, and how are you complying with these laws?

From academic performance data and web histories, to location data and other personally identifiable information such as date of birth or address, it is imperative that we take steps to ensure students' data is being secured and protected. Parents, students, and educational institutions deserve to have more control over their data.

We urge you to make a clear commitment to transparency for the children and young adults who use your products. We encourage you to adopt a comprehensive data privacy policy

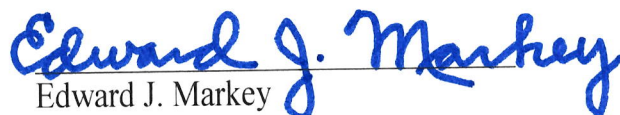
that ensures your company is directly obtaining informed consent from parents and students, and allows parents and students to fully delete any data retained by your company.

Thank you for your attention to this important issue. We look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink that reads "Dick Durbin". The signature is written in a cursive style and is positioned above a horizontal line.

Richard J. Durbin
United States Senator

A handwritten signature in blue ink that reads "Edward J. Markey". The signature is written in a cursive style and is positioned above a horizontal line.

Edward J. Markey
United States Senator

A handwritten signature in blue ink that reads "Richard Blumenthal". The signature is written in a cursive style and is positioned above a horizontal line.

Richard Blumenthal
United States Senator