

Trevor Lee proposes the following substitute bill:

Education Industry Employee Privacy

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Trevor Lee

Senate Sponsor: Chris H. Wilson

LONG TITLE

General Description:

This bill provides for the personal privacy of local education agency employees.

Highlighted Provisions:

This bill:

- enacts restrictions on a local education agency (LEA) selling or transferring certain contact information without consent;
- prohibits requiring use of certain technologies on personal devices;
- requires an LEA to provide accommodations for mandatory technology use under certain circumstances;
- allows an employee to file written complaints with the State Board of Education about violations;
- permits the State Board of Education to investigate complaints; and
- allows for consequences for violations.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

53G-10-207, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-10-207** is enacted to read:

53G-10-207 . Personal privacy for employee.

(1) As used in this section:

- 29 (a) "Employee" means:
- 30 (i) "administrative personnel" as that term is defined in Section 53G-10-206; and
- 31 (ii) "instructional personnel" as that term is defined in Section 53G-10-206.
- 32 (b) "LEA" means the same as that term is defined in Section 53E-1-102.
- 33 (c) "Required technology" means an application, software, or other technologies for
- 34 work-related duties without which an employee could not reasonably complete
- 35 necessary or essential job functions or engage in emergency situations.
- 36 (d) "Work-related contact information" means:
- 37 (i) private or work-provided phone numbers used for work purposes;
- 38 (ii) email addresses an employer provides or uses primarily for work functions;
- 39 (iii) work mail addresses, including physical addresses, post office boxes, and other
- 40 mailing details used to send or receive work-related communications or
- 41 documents;
- 42 (iv) logins, usernames, access codes, passwords, or other credentials used to access
- 43 accounts, systems, documents, records, or services provided in relation to an
- 44 employee's job duties; and
- 45 (v) messaging accounts, forum memberships, directory listings, distribution lists,
- 46 committee or group enrollments.
- 47 (2) ~~Ĥ~~ → (a) ← ~~Ĥ~~ Except as provided in Section ~~Ŧ~~ → s ← ~~Ŧ~~ 53G-7-224 ~~Ŧ~~ → and 63G-2-204 ← ~~Ŧ~~ , an LEA
- 47a or the state board may not sell
- 47a or
- 48 otherwise transfer an employee's work-related contact information to a third party ~~Ŧ~~ → if
- 48a **the sale or transfer is an isolated or standalone transaction ← ~~Ŧ~~ .**
- 48a ~~Ĥ~~ → (b) **To the extent allowed by law, an LEA shall publicly disclose a records**
- 48bi **request,**
- 48b **and any fees charged, for the information described in Subsection (2)(a).** ← ~~Ĥ~~
- 49 (3) Except as provided in Section 53G-7-224, an LEA or the state board may not distribute
- 50 an employee's work-related contact information in a manner that would interfere with an
- 51 employee's ability to access or use work-related accounts, contacts, email lists, or other
- 52 contact information resources necessary to perform the employee's job duties.
- 53 (4) An LEA may not require an employee to download, install, access, or otherwise use
- 54 required technology on a personally owned electronic device if use of the required
- 55 technology contains terms, conditions, or data sharing provisions that would allow for
- 56 access to data or information outside of the required technology.

- 57 (5) If an LEA requires an employee to use required technology that the employee
58 reasonably finds to contain objectionable terms and conditions, the LEA shall provide
59 reasonable accommodations to the impacted employee to avoid mandatory use on the
60 employee's personal device.
- 61 (6) An LEA shall provide a reasonable accommodation under Subsection (5) that allows
62 required use without accessing an employee's personal device, including providing the
63 required technology:
- 64 (a) via an LEA-owned and provided electronic device such as a computer, phone, or
65 tablet;
- 66 (b) through a secure virtual or remote desktop environment not requiring installation or
67 access credentials on a personal device; or
- 68 (c) through similar means that do not obligate personal device use.
- 69 (7) An LEA may not take adverse action against an employee for exercising rights under
70 this section and requesting reasonable accommodations.
- 71 (8) An employee may file a written complaint with the state board alleging violations of
72 this chapter.
- 73 (9) The state board shall investigate any complaint alleging violations under this section
74 and take licensure or corrective action if the state board determines that action is
75 necessary.
- 76 Section 2. **Effective date.**
- 77 This bill takes effect on July 1, 2025.