

<p>Subject:</p> <p><i>Technology Platforms in Career Exploration or Career Technical Education (CTE)</i></p> <p>Date Issued: October 5, 2023</p>	<p>Legal Reference – SB 213 (2022-2023 Legislative Session)</p> <ul style="list-style-type: none"> • RSA 189:66, V • RSA 189:70, IV(b)
---	---

This Technical Advisory continues the New Hampshire Department of Education’s communication regarding new legislation which was passed during the 2022-2023 legislative session. Senate Bill (SB) 213, which pertains to the use of web-based career exploration and the use of web-based platforms for industry recognized credential (IRC) assessments, amends RSA 189:66 and RSA 189:70.

SB 213 became effective October 3, 2023.

During the 2022-2023 legislative session, SB 213 was passed into law. This bill amends two pre-existing laws—RSA 189:66 and RSA 189:70—to allow for student use of technology platforms in career exploration or development in career technical education (CTE) programs. By way of relevant background, CTE programs provide students in grades 9-12 with the academic and technical skills, knowledge, and training that are required to succeed in future careers. In general terms, the current law and related school policies limit student use of social media platforms. These regulations, while understandable, inadvertently prevent CTE students from utilizing social media platforms that would support career development opportunities. Therefore, to achieve the objective of allowing CTE students access to career development opportunities through the use of social media while maintaining internet safety for students, two pre-existing statutes were amended. Each statute will be discussed in turn below.

Changes to RSA 189:66:

RSA 189:66, governs data inventory and policies publication. Currently, that statute enumerates the standards which are required to be in each school board data and privacy governance plan. SB 213 adds a new provision which states as follows:

A provision that students participating in career exploration or career technical education may, with written parental consent, register for technology platforms and services to be used as part of the student’s approved program of study, which require the provision of personally identifiable information. Copies of written parental consent shall be retained as part of a student’s educational record.

For purposes of completeness, RSA 189:66, V, is provided here as follows:

V. The department shall establish minimum standards for privacy and security of student and employee data, based on best practices, for local education agencies. Each local



education agency shall develop a data and privacy governance plan which shall be presented to the school board for review and approval by June 30, 2019. The plan shall be updated annually and presented to the school board. The plan shall include:

- (a) An inventory of all software applications, digital tools, and extensions. The inventory shall include users of the applications, the provider, purpose, publisher, privacy statement, and terms of use.
- (b) A review of all software applications, digital tools, and extensions and an assurance that they meet or exceed standards set by the department.
- (c) Policies and procedures for access to data and protection of privacy for students and staff including acceptable use policy for applications, digital tools, and extensions.
- (d) A response plan for any breach of information.
- (e) A requirement for a service provider to meet or exceed standards for data protection and privacy.
- (f) A provision that students participating in career exploration or career technical education may, with written parental consent, register for technology platforms and services to be used as part of the student's approved program of study, which require the provision of personally identifiable information. Copies of written parental consent shall be retained as part of a student's educational record.

[RSA 189:66](#) can be accessed in its entirety [here](#).

Changes to RSA 189:70:

RSA 189:70, governs educational institution policies on social media. SB 213 amended the definition of the term “social media account” to now read as follows:

means an account, service, or profile on a social networking website that is used by a current or prospective student primarily for personal communications. This definition shall not apply to an account opened or provided by an educational institution and intended to be used solely on behalf of the educational institution. This definition shall not apply to platforms used for demonstrating evidence in student career development.

[RSA 189:70](#) can be accessed in its entirety [here](#).

Taken together, these two amendments will allow for school districts to amend their respective school IT policies to allow students to utilize web-based platforms, including websites used for professional networking, virtual resumes, and web-based, third-party assessments that students take to earn industry recognized credentials such as licenses, badges, and certificates that enhance their respective resumes when they have prior written parental consent. In sum, these platforms and web-based tools are an essential part of career development for young people in the CTE program and they subsequently give students a significant advantage in the job market.

[SB 213](#) can be accessed in its entirety [here](#).

For questions related to this Technical Advisory, please contact:

Jeff Beard, Ed.D

State Director for CTE

Tel. 603-271-3729

Email: Jeffry.W.Beard@doe.nh.gov