

SENATE THIRD READING

SB 930 (Reyes)

As Amended July 02, 2026

Majority vote

SUMMARY

Requires a business providing proctoring services to a local educational agency for classroom- or course-based exams to use end-to-end encryption to provide those services.

Major Provisions

1) Defines the following terms:

- a) "End-to-end encryption" or "(E2EE)" means a security method where data is encrypted on the sender's device and remains encrypted until it reaches the intended recipient's device and is unreadable by any other party, including the business providing proctoring services.
- b) "Local educational agency" means a school district, county office of education, or charter school.

2) Requires a business providing proctoring services to a local educational agency for classroom- or course-based exams to use end-to-end encryption to provide those services.

COMMENTS

Background. During the COVID-19 pandemic, schools increasingly relied on remote proctoring tools capable of collecting sensitive information such as biometric data, identification documents, browsing history, video and audio recordings, and information about a student's surroundings. While student privacy is protected under both federal and state law, recent reports of data breaches and security vulnerabilities involving educational technology companies have heightened concerns that vendors continue to retain large amounts of sensitive student information.

What this bill would do. This bill would require businesses providing proctoring services to local educational agencies for classroom- or course-based exams to use end-to-end encryption to provide such services. By ensuring that data transmitted through proctoring software is unreadable to the proctoring service provider, this bill seeks to mitigate the risk of unauthorized access, interception, or misuse of sensitive student information.

Analysis. During the COVID-19 pandemic, academic institutions turned to online proctoring services to monitor students taking online exams. These services sought to deter cheating, uphold academic integrity, and support students through identity verification, video and audio monitoring, student device controls, live remote proctoring, and automated proctoring through artificial intelligence. As the prevalence of online proctoring services has increased, students have raised concerns regarding the breadth of personal information collected.

The privacy of students is afforded special protection under both state and federal law. The Family Educational Rights and Privacy Act (FERPA) provides that in order to receive federal funding, schools must offer certain rights to parents of students and to students over the age of

18, including the right to inspect and review the student's education records and the right to request that the school correct records that are inaccurate or misleading. California law provides similar protections for education records and expands on these protections by specifically addressing privacy in the context of educational technology. In 2014, the K-12 Pupil Online Personal Information Protection Act (POPIA), was established following the passage of SB 1177 (Steinberg), Chapter 839, Statutes of 2014. POPIA regulates operators of internet websites, online services, online applications, and mobile applications with actual knowledge that the site, service, or application is used primarily for K-12 school purposes and was designed and marketed for K-12 school purposes. In 2016, AB 2799 (Chau), Chapter 620, Statutes of 2016 expanded these protections to children enrolled in preschool or prekindergarten. SB 1172 (Pan), Chapter 720, Statutes of 2022 expanded on FERPA and POPIA by requiring businesses providing proctoring services in educational settings to collect, use, retain, and disclose only the PI strictly necessary to provide those services.

Encryption is the process of transforming readable information into an unreadable form using an encryption algorithm – a set of rules or calculations – and a cryptographic key. End-to-end encryption, or E2EE, is a method of securing communications so that only the sender and intended recipient can read the content. When information is sent, it is encrypted on the sender's device and remains encrypted while it travels through servers, networks, service providers, and any other intermediaries. Once the information reaches the intended recipient's device, it is decrypted using the appropriate cryptographic key. As a result, intermediaries generally cannot access or interpret the content of the communication.

This bill, builds on the framework established by SB 1172 by additionally requiring businesses providing proctoring services to local educational agencies for classroom- or course-based exams to use end-to-end encryption to provide those services. The bill's definition of "end-to-end encryption" specifically requires that data be unreadable by the business providing proctoring services.

According to the Author

"In the wake of the COVID-19 pandemic, schools across California rapidly adopted online learning platforms and virtual assessments both inside and outside the classroom. Due to their flexibility and efficiency, these digital tools remain widely used, transforming our K–12 education system. Unfortunately, some third-party proctoring companies have collected sensitive student data far beyond what is necessary to administer exams, including biometric information, browsing history, and recordings from students' homes. This excessive data collection raises serious privacy and security concerns."

"Existing laws such as the California Consumer Privacy Act and the Family Educational Rights and Privacy Act provide important privacy protections. However, as technology evolves and becomes more deeply embedded in education, additional safeguards are necessary to ensure those protections remain meaningful in practice."

"SB 930 strengthens existing law by requiring proctoring companies to implement end-to-end encryption for online assessments. This ensures sensitive student data is protected from unauthorized access, reduces the risk of breaches, and reinforces the principle that students should be able to pursue their education without sacrificing their privacy. Protecting student data is a matter of educational equity, and as technology advances, so must California's commitment to keeping our youth safe."

Arguments in Support

The California Teachers Association writes:

SB 930 takes an important privacy by design approach by requiring end-to-end encryption for online assessments. By ensuring that student data is encrypted on the student's device and remains inaccessible to proctoring vendors, the bill builds protection directly into the system and reduces the risk of misuse or breach from the outset.

Proctoring service provider Proctorio writes:

Proctorio supports SB 930 because it establishes a clear and uniform baseline for protecting student data across the proctoring industry. We believe that strong privacy protections and educational innovation must go hand in hand, and that clear statutory standards benefit students, families, educators, and providers alike.

The Alameda County Office of Education writes:

We feel that the requirements of this bill are reasonable and reflect best practices for ensuring students' data privacy.

Arguments in Opposition

No opposition on file.

FISCAL COMMENTS

As currently in print, this bill is keyed nonfiscal.

VOTES**SENATE FLOOR: 37-0-3**

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Caballero, Gonzalez, Rubio

ASM PRIVACY AND CONSUMER PROTECTION: 15-0-0

YES: Bauer-Kahan, Macedo, Bryan, DeMaio, Hoover, Irwin, Lowenthal, McKinnor, Ortega, Patterson, Pellerin, Petrie-Norris, Ward, Wicks, Wilson

ASM EDUCATION: 8-0-1

YES: Patel, Hoover, Alvarez, Bonta, Castillo, Lowenthal, Pellerin, Zbur

ABS, ABST OR NV: Garcia

UPDATED

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