



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of the Secretary

Anonymous

June 5, 2026

Re: *Illuminate Education, Inc.*, File No. 222-3105

Dear Anonymous:

Thank you for your comment regarding the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding against *Illuminate Education, Inc.* (hereinafter "*Illuminate*"). The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16. C.F.R. § 4.9(b)(6)(ii). The Commission is committed to protecting consumers from deceptive, unfair, and other unlawful practices, and we appreciate your feedback on this matter.

According to our complaint, *Illuminate* violated the FTC Act by engaging in deceptive and unfair practices by failing to employ reasonable information security practices, misrepresenting that it employed reasonable information security, and misrepresenting that it would timely notify school districts and students of a breach or unintended disclosure of information from or about an individual consumer. The proposed order, among other robust obligations, prohibits *Illuminate* from making misrepresentations about its information security and the time period in which *Illuminate* will notify school districts and students of a breach or unintended disclosure of information from or about an individual consumer. The proposed order also requires *Illuminate* to establish and implement a comprehensive information security program with specific safeguards tailored to the data security shortcomings alleged in our complaint.

In your comment, you state that you support the Commission's enforcement actions in the education-technology sector and agree that the conduct alleged in the complaint was serious. You raised concerns about the proposed order's requirements, however. You state that *Illuminate* allegedly failed to implement basic and well-established information-security safeguards and had a prolonged delay in notifying its customers of the breach, and that unauthorized access to this student information can cause long-term consequences. You state that the proposed order does not adequately address the gravity and seriousness of these allegations. You assert that the order does not adequately deter violations because it relies on largely forward-looking requirements that *Illuminate* implement data security procedures that already should have been in place and "there is no monetary consequence." You urge the Commission to "carefully consider" whether other remedies including "enhanced accountability provisions, stronger breach-notification obligations, or measures designed to address harm to affected students and families" should be included. The Commission appreciates you raising these concerns.

As your comment notes, the Commission's ability to seek civil penalties is constrained. As you may also know, the Commission does not have statutory authority to seek civil penalties for

violations of Section 5 of the FTC Act. If Illuminate violates the Commission’s final order, however, the Commission may seek civil monetary penalties of over \$50,000 per violation pursuant to Section 5(l) of the FTC Act. More broadly, with respect to other monetary relief and additional injunctive remedies, the Commission agrees that its orders must deter law violations by Illuminate and others in the marketplace, and is confident that this order will do so. Commission orders include strong injunctive relief that is intentionally forward-looking to deter future violations. The proposed order includes provisions that are designed to: 1) remedy the alleged deceptive or unfair practices; and 2) ensure Illuminate adequately protects the data in the future. In particular, the proposed order requires Illuminate to implement certain data minimization, deletion, and retention practices, and as part of the comprehensive information security program, Illuminate must implement measures specifically tailored to the alleged misconduct. For example, Illuminate must “adopt technical measures, procedures, and policy provisions to address the maintenance of any new type of information related to consumers including the purposes for which the new information is maintained and the specific business needs for maintaining the new information.”

Having considered all the facts of this case and the public’s comments submitted in response to the consent agreement, the Commission has now determined that the public interest would best be served by approving the proposed order as modified in two ways. First, the final order modifies Provision II to require Illuminate to delete or destroy any covered information whose retention is not reasonably necessary to provide products or services under its contracts with schools and school districts, and to prohibit the collection, processing, or maintenance of covered information beyond what is reasonably necessary for that purpose. Second, the final order modifies Provision III.A to require Illuminate to make publicly available, and adhere to, a retention schedule that identifies the purpose for collecting and maintaining covered information, the specific business need for its retention, and a defined deletion timeframe limited to what is reasonably necessary to fulfill that purpose or business need. Together, modified Provisions II and III.A ensure that Illuminate’s data practices remain tied to what is necessary to provide services to schools and districts, and that covered information is deleted on a set timeframe.

The final Decision and Order and other relevant materials are available from the Commission’s website at <http://www.ftc.gov>. It helps the Commission’s analysis to hear from a variety of sources in its work, and it thanks you again for your comment.

By direction of the Commission,

April J. Tabor
Secretary



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of the Secretary

June 5, 2026

Electronic Privacy Information Center (EPIC)
1519 New Hampshire Ave NW
Washington, DC 20036

Re: *Illuminate Education, Inc.*, File No. 222-3105

Thank you for your comment regarding the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding against Illuminate Education, Inc. (hereinafter "Illuminate"). The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii). The Commission is committed to protecting consumers from deceptive, unfair, and other unlawful practices, and we appreciate your feedback on this matter.

According to the complaint, Illuminate violated the FTC Act by engaging in deceptive and unfair practices by failing to employ reasonable information security practices, misrepresenting that it employed reasonable information security, and misrepresenting that it would timely notify school districts and students of a breach or unintended disclosure of information from or about an individual consumer. The proposed consent agreement, among other robust obligations, prohibits Illuminate from making misrepresentations about its information security and the time period in which Illuminate will notify school districts and students of a breach or unintended disclosure of information from or about an individual consumer. The proposed order also requires Illuminate to establish and implement a comprehensive information security program with specific safeguards tailored to address the misconduct alleged in the proposed complaint.

In your comment, EPIC notes it supports the Commission's efforts to ensure companies do not make false statements to school districts and students about the information security practices they employ and the Commission's continued efforts to strengthen information security through data minimization. We appreciate your support of these efforts. The Commission will continue to use its deception and unfairness authority when appropriate, based on the facts at issue, to protect the privacy and security of consumers' personal information.

You raised four concerns regarding Provision II of the proposed order. First, you raised a concern that Provision II would allow Illuminate to retain information for purposes such as targeting or for other secondary purposes because the phrase "in connection with" is a broad phrase that "could be twisted to permit virtually any secondary processing purpose . . . that is even tangentially linked to Illuminate's delivery of a product or service." Second, you also proposed that the Commission include collection and processing limitation provisions in the proposed order to ensure that Illuminate's collection, processing, or retention of information is limited to what is necessary and proportionate to provide its services. Third, you also raised a concern that Provision II allows Illuminate's customers to contractually "undo" any deletion requirements and argue that

the provision should instead require Illuminate to delete data without regard to any contractual obligations. Finally, you raised concerns that the data minimization requirements under Provision II may not be ongoing obligations.

After carefully considering the proposed order and the public's comments, we have concluded that the public interest is best served by approving the proposed order as modified in two ways. First, the final order modifies Provision II to require Illuminate to delete or destroy any covered information whose retention is not reasonably necessary to provide products or services under its contracts with schools and school districts, and to prohibit the collection, processing, or maintenance of covered information beyond what is reasonably necessary for that purpose. The modified language affords strong protection for consumers' data. At the same time, linking the deletion requirements to the provision of services under a contract or to deletion requests by Illuminate's customers gives the necessary consideration to the day-to-day needs of educational institutions. The language in the final order is appropriate in the context of the specific unfair and deceptive business practices allegedly employed by Illuminate.

Second, the final order modifies Provision III.A to require Illuminate to make publicly available, and adhere to, a retention schedule that identifies the purpose for collecting and maintaining covered information, the specific business need for its retention, and a defined deletion timeframe limited to what is reasonably necessary to fulfill that purpose or business need. Together, modified Provisions II and III.A ensure that Illuminate's data practices remain tied to what is necessary to provide services to schools and districts, and that covered information is deleted on a set timeframe.

The Commission also observes that Provisions II and III operate in conjunction to afford ongoing data minimization requirements. Provision II requires that, within 90 days of the order's effective date, Illuminate must delete or destroy covered information. Provision III.A requires that Illuminate must publicly identify and adhere to a defined time frame for deletion of covered information that is required to be deleted in accordance with Provision II. When viewed together, Provisions II and III.A impose an ongoing obligation on Illuminate to delete all covered information that is not required to be retained under governing customer contracts or requests.

Having considered all the facts of this case and the public's comments submitted in response to the consent agreement, the Commission has now determined that the public interest would best be served by issuing the Complaint and the Decision and Order in the above-titled proceeding in final form with the aforementioned modifications. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work, and it thanks you again for your comment.

By direction of the Commission.

April J. Tabor
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

June 5, 2026

Tyler Rodriguez
State of Pennsylvania

Re: *Illuminate Education, Inc.*, File No. 222-3105

Dear Tyler Rodriguez:

Thank you for your comment regarding the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding against *Illuminate Education, Inc.* (hereinafter "Illuminate"). The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii). The Commission is committed to protecting consumers from deceptive, unfair, and other unlawful practices, and we appreciate your feedback on this matter.

According to our complaint, *Illuminate* violated the FTC Act by engaging in deceptive and unfair practices by failing to employ reasonable information security practices, misrepresenting that it employed reasonable information security, and misrepresenting that it would timely notify school districts and students of a breach or unintended disclosure of information from or about an individual consumer. The proposed order, among other robust obligations, prohibits *Illuminate* from making misrepresentations about its information security and the time period in which *Illuminate* will notify school districts and students of a breach or unintended disclosure of information from or about an individual consumer. The proposed order also requires *Illuminate* to delete data, make public and adhere to a retention schedule, and establish and implement a comprehensive information security program with specific safeguards tailored to the data security shortcomings alleged in our complaint. Finally, the proposed order requires *Illuminate* to file timely reports in the event of a covered incident.

In your comment, you commend the Commission for this enforcement action and note that information security and privacy are paramount, especially when involving student data. You express support for the complaint in its entirety. You also note that *Illuminate* should have ensured that the data was appropriately safeguarded with encryption, that any information unnecessary to the continued usage of the service should have been securely deleted, that *Illuminate* responds appropriately to any breaches, and that any breaches are promptly communicated. The proposed order requires *Illuminate* to address the issues you raise. Provisions II & III of the proposed consent agreement impose mandated deletion and data minimization requirements and data retention limits. Provision IV requires *Illuminate* to implement a robust information security program including encrypting all covered information, and to implement and maintain an incident response plan. Provision VIII imposes prompt notification requirements in the event of another covered incident. We appreciate your support for the Commission's efforts. The Commission will continue to use its authority to protect consumers from harms stemming from unfair data security practices.

Having considered all the facts of this case and the public's comments submitted in response to the consent agreement, the Commission has now determined that the public interest would best be served by approving the proposed order as modified in two ways. First, the final order modifies Provision II to require Illuminate to delete or destroy any covered information whose retention is not reasonably necessary to provide products or services under its contracts with schools and school districts, and to prohibit the collection, processing, or maintenance of covered information beyond what is reasonably necessary for that purpose. Second, the final order modifies Provision III.A to require Illuminate to make publicly available, and adhere to, a retention schedule that identifies the purpose for collecting and maintaining covered information, the specific business need for its retention, and a defined deletion timeframe limited to what is reasonably necessary to fulfill that purpose or business need. Together, modified Provisions II and III.A ensure that Illuminate's data practices remain tied to what is necessary to provide services to schools and districts, and that covered information is deleted on a set timeframe.

The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work, and it thanks you again for your comment.

By direction of the Commission,

April J. Tabor
Secretary