

**Testimony of Rachael Stickland, Co-Founder, Co-Chair
Parent Coalition for Student Privacy**

**Before the United States House of Representatives
House Committee on Education and the Workforce**

Hearing on Strengthening Education Research and Privacy Protections to Better Serve Students

March 22, 2016

Good morning Chairman Kline, Ranking Member Scott and distinguished members of the Committee. I would like to thank you for your the opportunity to testify today on behalf of parents concerned about strengthening privacy protections to better serve students.

My name is Rachael Stickland. I am a parent of two public school children in Colorado, and I am co-founder and co-chair of the Parent Coalition for Student Privacy which represents a wide coalition of parents from across the nation, including Democrats, Republicans and Independents, public school parents and homeschoolers, professionals and stay-at-home mothers. We receive no funding from special interests, and we are united in our effort to protect our children and their privacy.

I would like to focus my testimony today on the need to strengthen federal educational law to meet the challenges of our modern educational system and to address current threats to student privacy.

Today, schools collect more information on students than most parents realize. While some was required by *No Child Left Behind* and state laws, much of the data actually appears to transcend legal requirements. Beyond transcript-type data like student names, addresses, courses taken, and grades earned, schools also collect hundreds of pieces of information like disabilities and interventions, medical information, disciplinary incidents, scores on standardized exams, and recommendations for grade retention.

Once information is collected at the local level, much of it is pushed up to the state to be maintained in the state unit record system called the Statewide Longitudinal Data System or SLDS or the P-20W (preschool through workforce). These unit record systems have been funded partly through federal grants. Forty seven states have received at least one SLDS grant.

In my state of Colorado, our SLDS has the capability to maintain approximately 400 data elements on each individual child and will eventually link data from the Department of Education to five other state agencies, including Human Services, Corrections, and Public Safety. Parents find this very troubling because the individually identifiable life-information that is so neatly organized in systems like these effectively become life-long dossiers and, if or when compromised, could give away the entire life history of every student in a state.

SLDS's purported purpose is help states, districts, schools, and educators to make data-informed decisions; as well as to facilitate research to increase student achievement and close achievement gaps. Parents don't disagree with the premise that data can and should be used for purposes to help advance their children's education. However, the availability of a dataset as rich as SLDS quickly turns it into the

go-to data mart for unauthorized as well as authorized use by other institutions, organizations, and state agencies.

While there have been no reports of large scale breaches of SLDS, university unit record systems are routine targets of hackers. A 2014 breach affected 300,000 current and former students and staff of the University of Maryland, and just last month 80,000 UC Berkeley students, alumni and faculty had their information compromised.

Also last month, a California organization petitioned the courts for access to information held in the state SLDS. The federal judge ruled in favor of the plaintiff and ordered the release of records for 10 million California students dating back to 2008. Highly sensitive information on every child in the state's education system were to be made available to the plaintiff's legal team including student "names, addresses, disciplinary records, grades, test scores, and even details such as pregnancy, addiction and criminal history." The judge backtracked her decision slightly this month but only because of parental backlash. It's worth noting that the judge has since suggested modernizing FERPA.

As Congress weighs competing interests in the student privacy debate, parents in our coalition urge you to always first think of the individual child. Allowing or incentivizing the government to track autonomous individuals through most of their lives in the name of research has speculative benefits at best and can lead to profiling, stereotyping and discrimination that can hinder a child's potential for growth and success.

Should Congress continue supporting the development and expansion of SLDS through federal grants, and as you contemplate student privacy as a legislative matter, please consider our coalition's recommendations outlined in my written testimony which includes: increased transparency, citizen oversight of SLDS, a ban on commercial uses of student information, strong security protections, increased parent/student rights, and strong enforcement of the law.

Thank you again for the opportunity to participate in this hearing and for your consideration of my testimony.