

Opening Statement of Congressman Jared Polis
House Committee on Education and the Workforce
“Exploring Opportunities to Strengthen Education
Research While Protecting Student Privacy”
Early Childhood, Elementary, and Secondary Education Subcommittee
June 28, 2017, 10 a.m.

Thank you, Chairman Rokita, for holding this hearing, and thank you to our witnesses for being here.

Education research and student data privacy are topics important to my constituents and me. Both are also bipartisan issues, and members of this committee have a history of working together to introduce bipartisan legislation to reauthorize education data and privacy laws. For example, the Success in Education Through Research Act (SETRA) would have updated current education research law. And the Student Privacy Protection Act would have updated current law addressing educational rights and privacy.

Additionally, I, along with my colleague Congressman Messer, introduced the Student Digital Privacy and Parental Rights Act last Congress, which would create new privacy protections for students by prohibiting ed tech vendors from selling student data or using it for commercial gain. The bill also helps reinforce a bipartisan belief that ed tech providers have a responsibility in guaranteeing student data is private and secure. I look forward to continuing to work with Congressman Messer on this issue and re-introducing our student data privacy bill this year.

While education rights and privacy are essential, and we want to make sure federal law does not hinder any state efforts that attempt to raise the bar in protecting student privacy, it is also important to acknowledge and support the role education research plays in helping achieve equity of opportunity amongst all students.

Reliable de-identified data plays a constructive role in identifying gaps in public education, and longitudinal data systems help state and local leaders identify strategies for intervention and improvement of poorly performing schools.

The importance of data is even more crucial as states begin to implement the Every Student Succeeds Act (ESSA), which still ensures schools and districts are held accountable for the education they provide to their students even though states have broader flexibilities and responsibilities under the law. ESSA also contains an important privacy safeguard by requiring states to set a minimum sample size for

reporting disaggregated group-level data. Commonly referred to as the "n-size;" the statute requires states to ensure that the minimum number does not reveal any personally identifiable information.

One of the challenges I look forward to addressing in this hearing is the need to strike a balance between student data privacy laws with strong protections, while still allowing students, teachers, districts, and families to benefit from research findings, state data systems, and the promise of ed tech innovations, like personalized learning platforms.

Thank you again to the witnesses for participating in this hearing, and I look forward to your testimony.