

Public Testimony pertaining to Proposed Bill S.B. #965: An Act Concerning Education Issues.

Carpe Diem.

#1

Unfunded Mandates:

I would hope that the body would agree that we have quite enough of unfunded mandates in education. Unfunded mandates, even those that seek a potentially beneficial outcome, place a burden upon the districts and taxpayers of our state, while also having a systemic effect upon our schools and therefore, their the overall educational experience for students beyond just the dollars. I have seen firsthand dollars that MUST be allocated to a certain item because it is a mandate, so we must cut, or defer plans or programs or staff which truly serve the students on a day to day basis, so that we can pay for the mandate. This diminishes the quality of the educational experience of all of our students to fulfill a mandate that perhaps we as a district didn't either A) need or B) want. Blanket mandates upon all serve up a one size fits all educational experience for teachers and children, when our effort should be on the unique and creative components of the districts as to what works or is needed for one, may not work or be needed for all, ending up with a waste of resources to implement them.

#2

State Agencies and Grants:

State agencies, applying for federal grants that bind our state to policy, and to tax dollars to implement said grant stipulations, is a serious issue. First, the grants usually come with federal strings. Perhaps those strings are just not worth it. Second, the grant never seems to cover the full cost of the implementation of the grant stipulations, leaving our state, and our taxpayers with an unfunded mandate. See Issue #1. Third, by binding us to policy through the grant application, our State Representatives and State Senators authority to set policy is usurped, the peoples' voice is by-passed, therefore, democracy is by-passed. When it comes to education I feel these grants are special because it isn't about a road, or a building or transportation- they are about human beings. Little human beings. What we apply for in a grant should be pre-approved by our representatives first, so that there may be a public hearing and we can have a discussion about what they are seeking money to do. Lastly, in the various instances where we do not receive the grant money or we do not receive enough to cover the implementation AND the ongoing cost of the implementation, then we should either A) not apply for it or B) implement its stipulations after not receiving any grant money to do so.

In sum, we do not have a great track record of actually receiving the money and we end up doing whatever the applications was for anyway costing us a ton of money that we don't have. I would ask that the legislature resolve that, when it comes to children and education, that state agencies ask you first and if we don't get the money that we don't implement the requirements.

The federal scorers comments on too many of our applications read akin to this: Nice idea Connecticut. Great plan Connecticut. We like A, B and C. However, Connecticut, you are not getting stakeholder buy in, you are not communicating with the public sufficiently to receive that buy in and you are not making enough of an actual impact with the plans that you have. Application Denied. Which then becomes Issue #1-Unfunded Mandate.

In education we have too much of lets do A-Z, let's put money towards A-Z, but we do not get A-Z over the finish line because we are trying to do too much all at the same time without enough money to do A-Z well. We need to focus on what we have started and make impact and greatly increase communication with the public before starting new things. A smaller number of ideas, done better will yield greater results than many things being done that are not being done well which in the end do not produce the expected results as a consequence.

#3.

Charter Schools:

Think big red STOP sign. Regulate. As an educator and volunteer with children for the better part of 15 years, the reality of how Charter Schools conduct themselves at times, and how they treat children is to me, shameful.

My Recommendations:

Make them accept the same proportion of English language learners as their host city. Currently, they do not.

Make them accept the same proportion of Special Needs students as their host city, and actually provide the services in their IEP, as any public school would do. Currently, they do not.

Make the State Board of Education actually uphold the Charter Management Organization's achievement and conduct record when their charter is up for renewal. At this time evidence suggests that the State BOE are renewing their charters, while not having met the achievement benchmarks that their charter was granted under.

Counseling out a student for whatever reason, during the school year should be abolished, except after following the exact same procedure a traditional public school would have to follow. Each child comes to a charter school with money. If a child is "counseled out" during the school year does the charter school return that money to whatever school the child then enrolls in or do they just keep it? If they keep it, then that child is now being educated somewhere else, by someone else without the funding for that child. I would say a child in their senior year of high school should be an absolute no go, unless a crime of some kind has occurred. Counseling out is a way for charter schools to rid themselves of students who they fear will not test well. If they don't test well that brings down their "achievement" level. They need to have an appearance of "success" to remain in operation. This treatment of children to me is just wrong. Their philosophy of self-preservation above serving their students is shameful.

Expulsion and Suspension Rates:

I would suggest the number differential between charter schools and the traditional public schools in the same city utilizing this means of discipline is significant to study as to why that may be.

Funding:

We have seen a large potential financial investment in the expansion of these schools while flat spending is given to regular public schools, which for many will actually mean a shortage. Let us take care of where most students actually attend school to ensure they are able to functionally operate rather than investing in more new charter schools at this time. They need to be regulated and more accountable for what they are doing with their funds first while we make the best use of scarce dollars by re-directing that money back to our community schools.

#4 Smarter Balanced Assessment Consortium and Testing:

Exactly how many tests does one need to see "how a student is doing" above and beyond what a teacher provides throughout the school year based on what is actually taught in the classroom? This is a National and Congressional debate. It is a discussion we need to have as well. We are spending time, money, instructional time, teacher professional development, software, hardware, test prep materials etc. etc. etc. on testing. Former Commissioner Pryor just signed in September an 8 million dollar, three year contract with SBAC (almost 2.7 a year) on a test that four days earlier sent out a letter to all K-12 leads that they won't have validity or reliability until AFTER this year's test. But, in our MOU in 2010 that was what was promised they would have for us by THIS year. So we just paid 2.7 million dollars for something that has no validity for any use what so ever at this time. Those three documents are readily available. In this budget I see another 24 million over the next two years for "Development of Mastery Exams in grades 4, 6 and 8". Another 5.2 million for "K-3 Reading Assessment Pilot". So that puts us at 37.2 million for tests when we have schools who need buildings

repaired, and new text books, and playground equipment fixed, and unmet student and staffing needs. We have got to get a handle on all of this unnecessary testing and any new spending right now and meet our schools current unmet needs allocations. This will help achievement far greater than 37.2 million in tests, if spent correctly on things and programs that directly impact student achievement. In the 14 years we have been annually testing children there has been NO gain. It is simply a waste of money. They serve another purpose. Reward, Punishment and Sales. They do not serve children. Authentic assessment is a far superior method of assessment. I would ask that we look at authentic assessment as a far superior alternative and a far less expensive approach in determining what a child knows and can do and the effectiveness of their teacher, however that would mean less profit made off of the children of Connecticut and the Nation. Please understand that for this year, this test we just paid for has no validity for its use in decision making for anyone, for anything. As other states have already enacted on these new tests, a moratorium on applying their results to human lives should be granted in Connecticut until SBAC has completed their properly conducted research and is held to customary pedagogical scrutiny and evidence as to their validity and reliability, otherwise we are applying invalid information to people as if it is actually valid.

Lastly, but most importantly to me...

#5: State Longitudinal Data Systems and Data Collection on Children, College Students, Parents and Teachers

Personal Information that was once protected by the Family Educational Records and Privacy Act is no longer. The 2011 amendment to that Federal Act, without Congressional approval unlocked this information to be shared outside of a school, district and state "without consent". Our state received 4.5 million dollars through two grants, fiscal years 2006 and 2009 to continue the development of our state longitudinal data system known as the Preschool to Workforce Information Network, or P20-WIN. In order for the federal government to entice all 50 states to build these interlinking systems to collect an enormous amount of individual level information on children, college students, their parents and their teachers they offered these grants through the American Reinvestment and Recovery Act. A total of 250 million. We received very little compared to most states. Our grant did not and does not cover the ongoing cost to implement this plan. In the new budget there is a total of approximately 2.5 million over the next two years towards these systems. I can go into great detail on them but it would take a book. For purposes of this testimony let me say that we, as a state have yet to pass any regulation what so ever as to their scope, purpose, and safety. I ask that the legislature, to regulate this system first and make it far safer than it is today prior to allocating any further funding to them. The P20-WIN entities (Council, Governing Board, Executive Board and Data Steward Committee) recognize the risk that this places children in, and that they must act to minimize that risk. I disagree. We can do better than that. You can regulate it in law first. This includes, but is not limited to, a bi-partisan effort pertaining to the collection, storage and sharing of student data at school including:

- 1) Full transparency of data points collected disclosed to parents and college students
- 2) Limits or bans on certain kinds of data, including biometric data. Some believe religious group, sexual orientation, political party affiliation, parent income, amongst others should also be excluded. I have extracted a list form all other state enacted laws that have been protected. It is readily available.
- 3) An easy way for parents and college students to access P20-WIN to ensure content accuracy and prevent misuse, and a means to easily have misinformation corrected. If we are using this for research and tracking it must contain verifiably correct information first. This is a program requirement of the federal Data Quality Campaign that Connecticut has not received their green check mark on.
- 4) The requirement for a parent or eligible students to be notified in the possibility or actual occurrence of a breach
- 5) Responsibility placed on those parties that have access to correct misinformation and rectify any breach that may have caused damages to children and college students.
- 6) Notice of who has had access to P20-WIN given to parents and college students through annual disclosure
- 7) For privacy policies to be shared with parents and college students regarding any software programs, assessments and external links that are used in school where a child is required to log in to utilize before creating their account, with an accounting of who that information is shared with outside of the school building. Contract language to be included

between schools and third parties as to what they can and cannot do with the personal information they collect. National data reveals that only 7% of school districts are including this language in their agreement terms, leaving a vast amount of personal information on children to be used as the third parties wish.

8) Longitudinal Systems to be held to their original intent, and not be allowed to evolve into a decision making resource in terms of an individuals' worth, character, financial status, employability or admission purposes to an institution of higher education by public or private entities.

9) Should privacy law be enacted, that the privacy legislation be retroactive upon current contracts within the state to any private or public agency, company, or 3rd party vendor and therefore contracts to be amended to reflect the conditions of the newly enacted legislation. Current contracts are to not be left as they are until termination or renewal dates.

Last year 110 student data privacy bills were put forth in 36 states that covered all and more of these measures, with almost half of the other states enacting said legislation into law as a response to this federally funded data collection. I thank with the utmost sincerity the State Representatives and Senators who when presented with the facts of this situation have put forth similar bills this session for the students of Connecticut. There are simply large holes in protection at this time. I have gone through all of the other state laws. I have gone through all of the P20-WIN documents and can reduce hundreds of pages into a 15 page document that outlines exactly where the holes lie and how we can make them better.

As a mom, I will be honest with you when I admit that I would much rather say to you, please de-fund this system and order it unplugged. To me it is the most exploitive use of children and invasion upon our residents. The pictures of how children are depicted in contract, which I have seen are simply heartbreaking for a mother to look at. Absent of that choice I, amongst many others have come together to advocate that we address this serious situation in law. How this will be used in the future we do not know, so it becomes the will of the legislature to protect them, and all of us. Know that we have another grant through the Department of Labor, granted in June of 2014 for those over 20. It never ceases. The National Model has now grown from an original 400 data points on just K-12 students to now almost 600. More for our babies, college students, parents and teachers.

Our state has a long history of passing legislation that at their heart were meant to protect the children of Connecticut. These student data privacy laws are no different. The bills put forth this session I sincerely hope will come out of committee so that we can simply look at it, address the policy holes, and make it safer. I know many would demand we dismantle it. I agree whole heartedly with their sentiment, because of my children whose lives will be contained within it without my having any say in that, but I am also interested in getting something done that represents a balanced approach to make use of valuable data in education while re-securing personal information on our youngest citizens. We can reach that balance by working together on this most pertinent of issues, which lies closest to my heart.

Thank you.

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