

Pam Lucashu, TEACH CT

Before the Education Committee

Testimony March 2, 2016

Re: HB 5469 An Act Concerning Student Data Privacy

Rep Fleischmann, Sen Slossberg and members of the Education Committee. My name is Pam Lucashu and I am here on behalf of The Education Association of Christian Homeschoolers of CT- TEACH CT. TEACH CT is a statewide organization supporting homeschool parents and children. It communicates with 1200 people across the state. TEACH is also a member of the Connecticut Parental Rights Coalition (CPRC), consisting of 11 organizations which have joined to support Parental Rights.<sup>1</sup> CPRC is a member of CAPE, the Connecticut Alliance for Privacy in Education. CAPE consists of 10 organizations united to protect the data privacy of students.<sup>2</sup> It is estimated that these organizations represent almost 100,000 people in Connecticut.

Homeschoolers are affected by the lack of privacy protection for student data because we may interact with the public schools at various points in our children's education. For instance, my children attended public school for several years before I homeschooled. In high school, two of my children took dual enrollment courses at community colleges. Some of those courses were taken online.

TEACH CT was encouraged when Rep Fleischmann and other Education Committee members attended the Informational Forum on Student Data Privacy, and looked forward to a bill this year that would protect the privacy of student data in Connecticut. HB 5469 is not that bill. HB 5469, while containing some protections, misses the foundational concept upon which privacy rests: ownership of the data by the student and parents.

TEACH CT supports the privacy protections as outlined by CAPE in its Student Data Privacy Bill Checklist, a copy of which is attached and which is posted on its website: <http://www.cape4kids.org/policy.html>. Other members of CAPE will testify in detail today on those items. I will focus on those aspects that TEACH considers crucial to homeschoolers.

DATA OWNERSHIP- Student data, as created *by* the student *about* the student must be recognized as *owned* by the student -and his parents, when we are talking about minors. Once ownership is properly recognized, protections such as parental notification and consent, and parental inspection, correction and removal of inaccurate data follow naturally.

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<sup>1</sup> Connecticut Parental Rights Coalition consists of: National Home Education Legal Defense, Family Institute of Connecticut, TEACH CT, Connecticut Homeschool Network, AbleChild, Connecticut Against Common Core, CUSP-CT Unites for Student Privacy, Student Data Privacy: A Voice for the CT Children of P20 WIN, Quiet Corner Parents for Education, New Milford United for Kids and Stop Common Core in New Milford.

<sup>2</sup> CAPE consists of: Connecticut Parent Teachers Association (CTPTA), CPRC, American Civil Liberties Union (ACLU-CT), Connecticut Parent Advocacy Center (CPAC), Ct Association of Private Special Education Facilities (CAPSEF), CT Council of Administrators of Special Education (Conn CASE), Connecticut Federation of School Administrators (CFSA), American Federation of Teachers – CT (AFT-CT), and Connecticut Education Association (CEA)

PROTECTION FROM OVER-COLLECTION - The amount of personal information being collected via the SLDS is staggering.<sup>3</sup> Much of this information is unnecessary to the education of our children.

As a former hospice volunteer at a local hospital, I received training on the protection of patient data. It was stressed that we were to access only that information that was necessary to care for our patient at the time of care. There was to be no digging in the back of the file drawer to satisfy our curiosity. It is a shame that we have not afforded our children the same consideration. We should *place a moratorium on SLDS or its expansion*.

PROTECTION FROM MISUSE- There are real dangers in the misuse and abuse of this information to target people for life-long and life changing discrimination in education and employment. Medical information that would normally be protected under HIPPA, for instance, is not protected when it is in an educational file. We should *ban the use of SLDS information from being used to influence or determine employability, criminal liability, financial standing or the reputation of the student*.

Thirty three other states have enacted student data privacy laws. We have the resources and information available to protect our students in Connecticut. I urge committee members to amend HB 5469 to include the real protections outlined in the Student Data Privacy Bill Checklist.

Thank you for your consideration.

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<sup>3</sup>See e.g., <http://nces.ed.gov/forum/datamodel/eiebrowser/techview.aspx?instance=parentGuardian>.