

Testimony - HB 5469

Good Morning Education Committee Members and those who are greatly concerned about our public schools and education,

I am Anne Manusky, of Easton CT, founding member of CT Unites for Student Privacy, CUSP, an member of CT Alliance for Privacy in Education, CAPE, degreed in Psychology and Counseling, mother of three and a citizen concerned about the state of our schools.

Today I am testifying in regard to HB 5469 - Student Data Privacy.

Since the inception of Common Core, the change from the CMT to Smarter Balanced, and to the collection of children's public education records, academic and non-academic, education seems to be the 'Enron' of data management.

As a research assistant of mental health in the late 1980's, there were specific parameters for performing tests on Human Subjects. Ethical care as to any individual participant, as well as their parent, was followed with high standards of consent to participate and the level of details that would be part of the research study, as well as the access of information after research completion. Information regarding ethical treatment of 'subjects' was provided from the hospital's Institutional Research Review Board (IRRB) which greatly detailed what responsibilities would be upheld in 'a careful evaluation of its ethical acceptability, taking into account the Principles for research with human beings' to the investigator. (Excerpts from Ethical Principles in the Conduct of Research with Human Participants, APA, Dec., 1972; 2000 iteration , <http://psycnet.apa.org/index.cfm?fa=search.displayRecord&UID=2000-07971-000>)

Fast forward to present day. Our schools are now surreptitiously, since no written Parental Consent is provided, testing our public school students. There is little difference between research in public education and research on individuals, with the exception of the students and parents having little voice against the testing being given in the case of publicly educated students. Many of those parents who do end up refusing that their children participate in said exams understand that one test, the Smarter Balanced, has no outside validated review - therefore, it does not meet the basic principles of standardized test validation. (Byrne, Mary, R., Issues and Recommendation for Resolution of the General Assembly Regarding Validity and Reliability of the Smarter Balanced Assessments, Jan 21, 2015 <http://missourieducationwatchdog.com/sbac-tests-show-no-validity-or-reliability/>) Our children are less than a 'Human Subject', more akin to a Lab Rat, with data being removed and without formalized consent.

Parents send their children to public school to have their children receive an education. At the recent CT 'Student Data Minefield Education Forum', a point was made about many in our generation could relate to --- being told that if something bad was going on their "Permanent Record" -- they felt the wrath of a higher power being incurred on them. That permanent record was on paper, and provided information for teachers/principals for your continued growth throughout your education years, and would end at high school. Now -- what will our children have? Where is the data? What data did you take from my public school existence? Is it Personally Identifiable Information, PII? What happens to all that data? Is it safely kept?

I would gather we have been told many things -- it's safe, it's fine, its all data to help your child, it's needed for accountability.

Two years ago, my youngest child came home from school one day with paper in his backpack which was from Yale University - doing research on a local district. "Social Emotional Learning" (SEL) was the impetus for the data gathering - the children's data based upon the program provided to the teachers. The note provided it was about research -- collecting data from the student's school records. In returning the paper 'reverse non-consent' -- you child's education and other records would NOT be part

of the study. The research study was stopped. PBIS/SEL is being expanded in our state school systems. Data collection too?

Currently in CT, no laws exist as to the privacy of children's records, or collecting of data like this in the public schools. FERPA was dismantled in 2011. HIPPA does not provide coverage to our children's medical records in school.

Our education system is broken. Our children should not be Research Subjects, and the teachers should not be research assistants. I am against HB 5469 as its present iteration. It needs:

* Informed Parent Consent for testing and data collection.

Each and every school/regional district has in its plan all testing that will be done during the school year.

* All information to be private, encoded and deleted at the end of the child's high school year.

High school transcript is what is needed for college. No other data should leave the school district; other data such as medical, mental health and other information is up to parents to provide information to whomever they decide, and with permission. (HIPPA)

*Violations of privacy - breach of information - Punitive and compensatory damages, legal and others.

Legislators, please stop and review what is taking place in CT, what is education and what is research, and what may or may not be keeping our children's education and public information private. Our children deserve privacy and freedom, as it was when we were raised.

Thank you.