

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 130

BY REPRESENTATIVE PEARSON

STUDENTS: Requests the State Board of Elementary and Secondary Education to discontinue the practice of sharing student data with private companies and the federal government

1 A CONCURRENT RESOLUTION

2 To urge and request the State Board of Elementary and Secondary Education to discontinue

3 the practice of sharing student data with private companies and federal agencies.

4 WHEREAS, Louisiana public education officials entered into an agreement with the

5 nonprofit company *inBloom* for the storing of Louisiana student data in connection with the

6 Common Core State Standards initiative; and

7 WHEREAS, as it relates to the decision to contract with *inBloom* for this purpose,

8 the state superintendent of education stated that "we were offered the opportunity by a

9 nonprofit to house some of our data, an opportunity schools might want to take advantage

10 of to see student data in clearer ways"; and

11 WHEREAS, according to information published by the Louisiana Department of

12 Education, school districts and states "store student information that they will need to

13 support school operations and school planning" and "school districts store information on

14 students' grade level or special services required, so that students can be registered in the

15 right school or program"; and

16 WHEREAS, the department's information further states that "the state collects and

17 maintains basic information such as a student's name and contact information, the school

18 each student is attending, the student's grade level, and how well the student performed on

19 statewide tests" but "the state does not collect nor store information that is not related to the

20 child's education, such as religious affiliation, blood type, or hair color"; and

1 WHEREAS, contrary to this, other reports indicate that this type of data collection
2 includes personal information on students and their families; and

3 WHEREAS, there are serious concerns among many citizens in this state as well as
4 those throughout the country about the dangers associated with this kind of student data
5 collection; and

6 WHEREAS, some of these dangers include:

7 (1) The collection of sensitive or personal data on students, including social security
8 numbers, learning disabilities, student hobbies, and school attendance and homework
9 completion, is invasive and will only benefit the private companies or vendors in selling
10 their products.

11 (2) The student data collection may be in violation of the intent of the Family
12 Educational Rights and Privacy Act (FERPA) which is to protect student education records
13 from public view.

14 (3) There may be few or no restrictions on how the student data can be used or with
15 whom it can be shared.

16 (4) There are no sanctions for improper usage or storage of the data by a private
17 company.

18 (5) There are no mechanisms in place for correcting erroneous data that could
19 potentially be used by employers, credit card companies, insurers, or schools for admissions
20 purposes.

21 (6) There is great potential for fraud and abuse if a company's database is hacked or
22 otherwise compromised.

23 (7) The federal government permits the sharing of student data without parental
24 consent or notification; and

25 WHEREAS, although recent news reports indicate that Louisiana's superintendent
26 of education has withdrawn student information from the *inBloom* company's database, he
27 has stated that the state Department of Education began storing such information with the
28 company seven months ago; and

29 WHEREAS, there are other indications that the state Department of Education has
30 been sharing student data with vendors for many years; and

1 WHEREAS, information from the *inBloom* website indicates that the company
2 cannot guarantee the security of the information stored or that the information will not be
3 intercepted when it is being transmitted; and

4 WHEREAS, in order to protect our children's and families' rights to privacy and to
5 truly empower parents with choice in how they want their children educated, we cannot
6 continue the practice of sharing student data with private companies and federal agencies
7 which is in clear violation of their privacy and has the potential of causing irreparable harm.

8 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
9 urge and request the State Board of Elementary and Secondary Education to discontinue the
10 practice of sharing student data with private companies and federal agencies.

11 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
12 president of the State Board of Elementary and Secondary Education and the state
13 superintendent of education.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Pearson

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