

Chair Gelser and members of the House Education Committee,

This testimony is in support of HB 4062 and the -1 amendment. Oregon should lead the way for strong privacy rules, left gaping with FERPA deregulations of 2008 and 2011.

As a parent of two young adults who attended Oregon's public schools, I am deeply committed to supporting a strong public education system. Data privacy has taken center stage since the June revelations by Edward Snowden. This is not a partisan issue. My interest in data privacy was sparked over two years ago when I began to explore [Project Alder](#). Funded with 3 federal grants, Project ALDER merges records from 5 state agencies to create a cradle through career longitudinal database.

I accessed my son's records from the State Longitudinal Data System with the help of Jan McComb. She sent me a C.D. chock-full of personally identifiable information. The records miscoded my son as a W8 4 times from 4th through 8th grade.

W 8 = Left to Earn a GED; Left to Earn a General Equivalency Diploma certificate but did not complete."

To this day, they have not been corrected.

Education and medical records consist of very private information, yet both FERPA and HIPAA have "no private right of action" when unlawful access, use or disclosure of [personal health information](#) or [student's protected information](#) occurs. In other words, the individual can't sue under HIPAA or FERPA laws when personal data has been compromised.
http://www.thelundreport.org/resource/big_data_and_lawful_threats_to_privacy

The consequences of data breaches are not, however, inconsequential at the individual level if the source of data breaches (let alone the data breach itself) is discovered.

But "lawful" collections of big data are promoted with the guise of accountability; yet the only accountable response drives cyber-security sectors. This negative externality is never considered.

SLDS big data is bulk "metadata" on steroids. Oregon's state longitudinal data system should NOT include any personally identifiable information. Period.

HB 4062 begins to address a national security issue that goes far beyond data privacy. Citizens are losing trust in government that no longer protects constitutional rights. This trust must be restored!

I urge you to pass this bill and the -1 amendment.

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