

House Education Committee

Regarding HB 4062

I am writing to support HB 4062 and the protection of student private information and access by parents. There is a lot in the news of the abuses and data mining student information that goes way beyond the student's education. There are cases of directly and indirectly asking students about their family practices, income, behaviors, political activities, and religion. The Oregon Legislature is wise to take a proactive move to protect our students of such zealous acts violating our personal privacy.

I'd like to address Mr. Saxton's objections to this bill and caution the committee to his ulterior motive.

(3)(d) Require that personal identifying information collected about a student and retained in the student education record be only used for the educational benefit of the student.

"and violates Oregon's waiver from federal No Child Left Behind act requirements as the state pledged to create a longitudinal database, and hinders ODE and local districts from evaluating schools, districts, and programs."

The longitudinal database to measure changes is still authorized within the school to benefit the child's education. As has been done for years, a collective average by grade has been reported to the state for evaluation of the school's progress. There is no reason for individual data to be collected outside the school. Matter of fact, what Mr. Saxton suggests is in violation of Title 34 that he quotes for the emergency exception. The waiver cannot illegally violate Title 34, and the federal government cannot legally withhold funding as has been in the news.

(3)(f) Prohibit the disclosure of student personal identifying information to individuals who are not directly responsible for the student's education program.

"FERPA protects individual information distribution to within the educational institution for educational purposes, except for the safety and health reason and only in the event of an emergency. This provision would curtail the role of research in analyzing the overall success of education programs. This could significantly impact the ability of ODE and OEIB to evaluate the success of initiatives and programs to support the 40-40-20 goal."

Section (3)(f) is what FERPA, title 34, says so to object is nonsense. Mr. Saxton first quotes FERPA and then wants an exception for ODE and OEIB, which doesn't need individual private student information to evaluate the progress of the 40-40-20 goals.

(3)(g) Prohibiting the collection of student personal identifying information for general educational research or program evaluation purposes.

"Many federal grant programs require that educators track how well the program succeeded in better educating students, and require evidence of this."

Program evaluations on how students respond or improve due to a program is nothing new. Such results are measured by setting a baseline comparing it to the baseline evaluated at the end of the program. These programs are very careful not to individually identify students when evaluating the

I am opposed to Senate Bill 1538 because I don't understand the distrust of parents that the bill enshrines. The bill uses the phrase 'educational goals' over 40 times. But it never defines them. They are simply reflections of the school board's priorities and subject to the school board's interpretations. This creates problems on two levels.

First, not every student or family benefits from the same structures and priorities. For example, an 'educational goal' for a k-3 primary school might be 'developing critical reasoning skills.' Many children might benefit far more from the structure of the trivium, which emphasizes memorization in the early years and logical application later (I've met the product of such schools and their reasoning abilities are exceed those I've encountered in the top graduates of places like Wilson). Such a school would be ruled out on the basis of such 'educational goals.' But a decision to rule it out would have definite adverse effects on those students who would benefit from such a structure.

Second, the 'educational goal' becomes an item which is judged by the local district board. The school board might seek to 'developing critical reasoning skills' but then disregard any method other than the Common Core as contrary to those goals. There is no science that says one particular educational method is the right and only method to achieve educational goals. But this law enables school boards to pretend there is and strangle new and innovative approaches to the educational problems our children face.

The real issue is when the educational goals morph into goals only public schools can achieve. For example, they could create a goal of 'encouraging community connection.' This sounds great, but a charter school might never pass because the district board might consider public schools the only way to be truly committed and connected to one's community. A private school distances students from their piers and a charter school - but virtue of attracting the most ambitious and driven - does the same.

This bill is an attempt to kill charter schools - and it will be most costly to those kids the public model fails to serve effectively.

I encourage the Oregon Senate not to pass this bill.

Thank you,

Joseph Cox
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