

Chair Roblan and members of the Senate Education Committee,

I am very sorry I could not be in Salem to present testimony for SB 187. This bill establishes a task force to make recommendations regarding protection of privacy of students using education software. **This would be an important first step should HB 2708,<sup>1</sup> sponsored by Representative Lew Frederick, not pass this legislative session.**

Section 1(2)(c) stipulates: The Governor shall appoint seven members who represent the interests of students, school districts, state government and providers of education software.

**Should this bill pass, I hope you urge Governor Brown to appoint me.**

My experience in this matter exceeds most people in the state. For one, my husband and I were unfortunate victims of tax related identity theft last year.

But I have been advocating for student privacy protections for nearly three and a half years. I am well connected to national advocates who could vouch for my expertise and commitment. That includes Khaliah Barnes of the Electronic Privacy Information Center<sup>2</sup>, Dr. Deb Peel of Patient Privacy Rights<sup>3</sup>, University of Maryland Professor of Law Frank Pasquale<sup>4</sup>, Leonie Haimson and Rachael Stickland<sup>5</sup> (co-founders of the Parent Coalition for Student Privacy), and Kaliya Hamlin<sup>6</sup> (co-founder of the Internet Identity Workshop and member of the Identity Ecosystem Steering Group for the National Strategy for Trusted Identities in Cyberspace.<sup>7</sup>

BOLI Commissioner Brad Avakian and my husband Mike Siegel have observed my tenacity advocating for data privacy in both education and health care over the last three and a half years.

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<sup>1</sup> <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2708>

<sup>2</sup> Director, EPIC Student Privacy Project, EPIC Administrative Law Counsel  
[https://epic.org/epic/staff\\_and\\_board.html](https://epic.org/epic/staff_and_board.html)

<sup>3</sup> <http://patientprivacyrights.org/board-of-directors/> rachael.stickland@gmail.com, leonie@att.net

<sup>4</sup> Highlights of his faculty profile available at:

<http://www.law.umaryland.edu/faculty/profiles/faculty.html?facultynum=984> He is a member of the NSF-funded Council for Big Data, Ethics, and Society, and an Affiliate Fellow of Yale Law School's Information Society Project. He frequently presents on the ethical, legal, and social implications of information technology for attorneys, physicians, and other health professionals. His book *The Black Box Society: The Secret Algorithms that Control Money and Information* (Harvard University Press, 2015) develops a social theory of reputation, search, and finance. Pasquale serves on the Advisory Boards of the Data Competition Institute, Patient Privacy Rights and the Electronic Privacy Information Center.

<sup>5</sup> Website for Student Privacy Matters @ [http://www.studentprivacymatters.org/?page\\_id=14](http://www.studentprivacymatters.org/?page_id=14)

<sup>6</sup> <http://www.internetidentityworkshop.com/>

<sup>7</sup> [https://www.idecosystem.org/member\\_list](https://www.idecosystem.org/member_list); <https://www.idecosystem.org/page/about-identity-ecosystem-steering-group>

I have written extensively on this issue. SafeGov widely disseminated an article I wrote in October 2014: [Restoring Privacy in the Era of Big Data](#).<sup>8</sup>

A constituent of Congresswoman Bonamici, I have been communicating closely with her and her legislative aides for three years on student privacy. I talked to her aid, former Oregon teacher Adrian Anderson, preceding the February 12th hearings held in the Subcommittee on Early Childhood, Elementary, and Secondary Education: “How Emerging Technology Affects Student Privacy.”<sup>9</sup> Congresswoman Bonamici’s comments begin at 1:19:45 of the archived webcast.<sup>10</sup>

I follow the FTC in regards to this issue and submit comments and questions.<sup>11</sup>

In 2013, Senator Mark Hass held a hearing<sup>12</sup> for SB 567<sup>13</sup> on behalf of Oregon Save Our Schools where we advocated for a Chief Privacy Officer.<sup>14</sup> I continue to maintain the necessity for this position and urge the committee to look closely at Ohio’s Privacy and Information Center<sup>15</sup> for inspiration.

This legislative session, I’ve presented testimony before the House Education Committee on student privacy.

- [HB 2655](#)<sup>16</sup>
- [HB 2715](#)
- [HB 2709](#)<sup>17</sup>
- [HB 2710](#)
- [HB 2711](#)
- [HB 2712](#)

Please support this bill.

Kris Alman MD

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<sup>8</sup> <http://safegov.org/posts?filterby=Education>

<sup>9</sup> <http://edworkforce.house.gov/calendar/eventsingle.aspx?EventID=398317>

<sup>10</sup> <https://www.youtube.com/watch?v=zWgfszB03V0>

<sup>11</sup> <http://www.ftc.gov/news-events/blogs/business-blog/2015/01/testing-testing-review-session-coppa-schools#comment-357501>

<sup>12</sup> <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/SB567>

<sup>13</sup> <https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/SB567>

<sup>14</sup> My testimony is available at this link:

<https://olis.leg.state.or.us/liz/2013R1/Downloads/CommitteeMeetingDocument/4807>

<sup>15</sup> <http://www.privacy.ohio.gov/>

<sup>16</sup> Hearings for HB 2655 and HB 2715 held on 2/9/15.

<https://olis.leg.state.or.us/liz/2015R1/Committees/HED/2015-02-09-13-00/Agenda>

<sup>17</sup> Hearings for HB 2709, 2710, 2711 and 2012 held on 2/13/15. My testimony is available at:

<https://olis.leg.state.or.us/liz/2015R1/Committees/HED/2015-02-13-13-00/Agenda>