



DATE: February 26, 2015

TO: Chair Roblan and Members of the Senate Education Committee

FROM: Iris Maria Chavez, Government Affairs Director, Stand for Children Oregon

RE: Senate Bill 187

Student Privacy

New education technologies show promise in enhancing overall education, and are gaining increasing attention across the country. These tools are wonderful additions to classroom practice and can be of great aid to students in the classroom, and beyond.

However, these tools collect, share, and store student data with commercial service providers and researchers, raising a range of privacy concerns. As it stands, federal law provides K-12 students and parents with some, but not many, protections from third parties' collection and use of student data. In addition, most state laws only address traditional student record-keeping in physical files, and are therefore inadequate given the various means by which education technology collects student data. It is time for our state laws to catch up with what is happening in industry and the classroom.

SB 187 would establish a task force to make recommendations regarding the privacy of students using educational software. The task force would be comprised of representatives from the Oregon Senate, Oregon House, and appointments by the governor of individuals who represent the interests of students, school districts, state government and providers of education software.

Stand for Children members believe that students in Oregon should have access to the best, which often means the newest, education technologies that will help their children be successful in the classroom. That said, they also want to ensure that their children are not being taken advantage of and can engage in education technologies without fear of their information being mishandled. This bill will move us in a positive direction, we urge you to support this legislation and work with interested parties to ensure that student information is protected. In addition, we do not support an "affirmative consent" amendment – which is essentially a loophole that allows industry to get consent through a check box option or a provision buried in a contract—and use the information gathered. This places an unnecessary burden on parents to advocate that their students be exempted from this and a substantial burden on districts to educate and inform parents of this provision. It goes against the intent of the effort.