

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Ron Highland at 1:30pm on Thursday, January 29, 2015, 112-N of the Capitol.

All members were present except:

- Representative Rob Bruchman – Excused
- Representative Marc Rhoades – Excused
- Representative John Barker – Excused
- Representative Valdenia Winn – Excused

Committee staff present:

- Sharon Wenger, Legislative Research Department
- Sue Mollenkamp, Kansas Legislative Committee Assistant
- Tamera Lawrence, Office of Revisor of Statutes
- Edward Penner, Legislative Research Department
- Nick Myers, Office of Revisor of Statutes

Conferees appearing before the Committee:

- Paul Schwartz, Data Specialist, Olathe
- Brian Huesers, former Chief Information Officer, Kansas Department of Health and Environment, current Vice-president of Technology Information, Westlake Hardware

Others in attendance:

[See Attached List](#)

Representative Trimmer acted as Ranking Minority Member in the absence of Representative Winn.

Possible bill introductions

Chairman Highland asked for bill introductions; there were none.

The Chairman asked members to note that February 2 is the last day for members to request bill drafts and February 9 is the last day for a non-exempt committee to request bill drafts.

Presentation on Data Collection and Security:

Chairman Highland asked Revisor staff to give committee members an overview of the current statutes related to student data privacy. Nick Myers gave an overview of Kansas statutes 72-6215 through 72-6223 which govern the student data privacy act passed by the 2014 legislature. Mr. Myers also informed members of crimes that could be associated with a breach in student data privacy. These crimes include: criminal use of a financial card (2012 KSA 21-3828), unlawful acts concerning computers (2012 KSA 21-5839), and identity theft or fraud (2014 KSA 21-6107). Mr. Myers answered questions from the committee.

Chairman Highland invited Paul Schwartz to address the committee with his concerns about student data collection in Kansas. Mr. Schwartz guided members to the Kansas Department of Education website listing of data currently being collected on each student in Kansas, spoke of the value of

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educational data world wide, indicated the reasons why data on children is more vulnerable to attack than adult data, and expressed his concerns that student data is not being properly protected in Kansas. ([Attachment 1](#))

The Chairman asked Brian Huesers to provide committee members with his view of student data collection and security in Kansas. Mr. Huesers referred to the number of large data breaches occurring worldwide and noted that few of them are reported to the public. The breaches made known to the public involved companies which had spent millions on information technology (IT) security and had passed audits required for their security systems but still their data was breached. Educational data breaches make up 15.3% of all data breaches from 2005 through 2014. He voiced concern about vague federal regulations which have allowed schools to disclose personally identifiable information from education records without consent. Mr. Huesers listed a number of steps to be taken to protect and secure data, identified data issues unique to education, and expressed his concerns with the current handling of student data in Kansas. ([Attachment 2](#))

Mr. Schwartz and Mr. Huesers answered questions from the committee.

Chairman Highland indicated another meeting on the topic of student data privacy will be planned to hear how the Kansas Department of Education and various school districts are enforcing the student data privacy act.

Representative Barton introduced guests in the audience from the Leavenworth Virtual School.

Representative Dove requested the opportunity to introduce a bill requiring parental consent for instruction in human sexuality. The Chairman allowed the bill introduction; it was accepted into committee without objection.

The meeting adjourned at 2:40 p.m.

The House Education Committee will meet next on Monday, February 2, at 1:30 p.m. in Room 112-N of the Capitol.