

Testimony in Support of HB2588 To Encrypt Student Data

presented by
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The Right to Privacy is guaranteed in the U.S. Constitution. The Kansas Student Data Privacy Act was passed in 1976 and amended in 2014. K.S.A. 72-6214(b)(2) is very specific. **Parents must first sign a written consent before any personally identifiable data on their child can be shared beyond the local school district.** But, bureaucrats have found ways around this privacy protection.

Since 2007, the U.S. Department of Education has provided the KSDE with \$17 million to set up a massive P-20 database to collect and store personal information on every one of the 492,000 Kansas students from the time they enter preschool through the next 23 years of their life. The KSDE also collects finger prints and personal data on each of the 35,000 Kansas teachers.

The 28 pages of data in the Kansas Individual Data on Students (KIDS) systems manual are very specific. Errors in coding or reporting can impact a student the rest of their life. Yet, most Kansas parents have no idea these data are being collected nor have they given written consent to do so.

The 400 data elements in the National Education Data Model are also an invasion of privacy. Yet, the U.S. Department of Education has coerced and bribed bureaucrats in every state to develop these massive databases without the knowledge or votes of their state boards or state legislators.

I served on the Kansas State Board of Education from 2009 through 2012. Not once did our Board discuss or approve any of the data being collected on students. Nor did the KSDE staff ever provide data from the KIDS system which the Board used to make any decision.

Local Kansas school districts must hire additional staff to collect, code, prepare reports, maintain computer systems and disseminate these data at great financial expense. Providing the KSDE with all of these data without each parent's written consent is a violation of Kansas law.

No database is secure. Hackers are stealing data from the government and corporate files at will. The KIDS database must repel multiple hack attacks every month. The CETE state assessment database was hacked twice in the Spring of 2014. District computers are frequent identity theft targets.

HB2588 will help safeguard student data by requiring that it be encrypted before it is sent from the school building to the district, state or Federal databases. Encryption will prevent hackers and commercial vendors from stealing and selling personally identifiable student data.

The KIDS database uses unique identifiers for each student enrolled in a Kansas K-12 school. This code will become another layer of protection with the passage of HB2588.

In addition to encrypting student data, I recommend requiring prior written consent before student, teacher, administrator or staff data is collected or shared with any other agency, contractor or vendor outside their local school district.

As legislators, your first responsibility is to "Do No Harm". **The privacy rights of Kansas students, their families and school staff must be protected.**

Please pass HB2588 as a way to protect the privacy rights of every Kansan attending or employed by a K-12 school district. Encryption will help enforce the Kansas Student Data Privacy Act.

Respectfully submitted,

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