

BACKGROUND SUMMARY & RATIONALE FOR RESOLUTION ON STUDENT PRIVACY PROTECTION

Similar to the Industrial Revolution, the Digital Age brings rapid advances in technology that boggle the minds of parents leaving children at risk for exploitation. Now more than ever, children need the same advocacy and parent education epitomized by PTA founders, Alice McLellan Birney and Phoebe Apperson Hearst when they convened the first National Congress of Mothers in 1897. It was a time in America's history when children, particularly impoverished immigrants, were often denied opportunities for education and forced to work in factories, mines, and other labor fields.

The Congress of Mothers was intended to elevate the status of motherhood by teaching mothers the importance of their children's well-being and a happy childhood. The PTA founders believed that happy, healthy children with a good education would grow into good citizens creating a better world for everybody. As Alice Birney so eloquently stated, "In the child and in our treatment of him rests the solution of the problems which confront the state and society today."

Those words still ring true today. As we enter the Digital Age, the era of information, our children requires the same advocacy as those growing up during the Industrial Revolution. Parents must be made aware of the threats to their children's privacy and well-being. Just as compulsory school attendance and child labor laws protected children from the hardships of the Industrial Revolutions, policy makers must now protect children from data mining, experimental technologies, commercialism, exploitation, and identity theft.

Like many other states, Tennessee's Race To The Top (RTTT) application provides for a statewide longitudinal data system to warehouse information on children from pre-school through college and into the workforce (P-20). The data is collected from schools and governmental agencies such as Department of Child Services, the Health Department, Department of Correction, Bureau of Tenn. Care, Tennessee Commission on Children & Youth to produce a data dashboard that gives a 360 degree view of each and every child in Tennessee. The purpose of this data collection is establish indicators of success in school and workforce as well as intervention plans.

Among the data types being collected in schools are biometric and psychometric which are experimental in nature. At Dobbys-Bennett High School in Kingsport, biometric scanners have been installed in the school buildings for students to scan their fingerprints to gain entry. In Shelby County, students are assigned Gaggles accounts for email, cloud storage, and internet browsing. Gaggle provides a "Human Monitoring Service" where student communications are monitored for "Possible Student Situations" such as violence, suicide, rape or harmful family situations. Such threats to the student are reported only to the school system which at its discretion may or may not inform parents. The Department of Education is studying measurements of a student's grit, tenacity, and perseverance using biometric and psychometric data. The report describes an activity where a kindergarten child is given a wrapped toy and is tested on how long he can wait to unwrap it. The idea being that impulse control is indicative of the child's future success in school and the workplace.

New regulations allow greater access to student data by those outside the school system and the state education commission. Changes in FERPA definitions now allow third party contractors to gather data on children without parental knowledge or permission. In Shelby County, students were given the Tri-Pod survey in 2012-2013 without any notification being sent to their parents. The survey was intended to provide student feedback to the school system as part of teacher evaluations. But the Tri-Pod survey contained a demographic section of questions on the students' home lives and households. The information gathered from the demographic section was not conveyed to Shelby County Schools. Instead, the data was assimilated into a national database owned and operated by Tri-Pod. In Metro Nashville and other school systems throughout Tennessee, middle and high school students were given a school climate survey that asked among other questions about sexuality, drug use, alcohol consumption, tobacco use, etc... While such factors may be

important to determine the climate of the school, it exposes middle school children to adult issues without their parents' governance or even knowledge. Some parents may find themselves in the awkward position of discussing sexuality and substance abuse with their children without adequate preparation. A number of questions go well beyond the school setting. The survey asks whether parents are involved in the child's life. Then, there are questions about the student's social life such as do you attend school dances, sporting events, etc.? Do you participate in extra curricular activities? Has anyone made fun of you? Spread rumors about you? Bullied you based on your appearance, family income, or disability? It would appear that the survey is going beyond student feedback on the school's climate and is entering into the realm of gathering psychometric data on the student for the longitudinal data system as well as providing information to a third party for uses undisclosed to parents.

Such data in the hands of private companies has the potential for profiteering and commercialism. Pre-teens are especially valuable consumers. An entire industry has been built around tween girls by Alloy Enterprise. This company hires marketers to write novels appealing to young girls which are then made into TV shows and movies. The TV and movie characters wear clothing and jewelry sold at the chain of retail stores also owned by Alloy. Recently, Alloy has been compiling lists of highly desirable young consumers and acquired a student marketing group. It now claims to have a database of 1.5 million junior high school students for direct marketing. This is ruthless commercialism. Perhaps, less offensive is the use of data to develop and sell educational products but it remains nonetheless, commercial exploitation of children. CompassLearning, an educational software developer, intends to mine a \$100 million database containing a 360 degree view of students including their disabilities, hobbies, grades, test scores, career goals, and psychometric data to develop new products and target market them to students and their families. Beyond commercialism, concern arises over using the 360 degree view to pigeon hole children. A survey revealing a student used drugs or alcohol at a young age could lead to intervention and help or it could lead to difficulty attaining health insurance. The same applies in the world of academia. Students labeled by the data as lacking in areas could receive access to help and resources to improve their education or the students could be cut off from opportunities and the ability to determine their own future.

With more and more third parties being given access to student data, the concern for security increases especially since children with their squeaky clean credit ratings are prime targets for identity theft. In 2012, hackers attacked Clarksville-Montgomery County School System and gained access to personal data including social security numbers of 110,000 people and posted 14,500 of the records online. And we can expect more school system data breaches will occur in the future. Despite expert opinions that cloud servers can be particularly vulnerable to hacking, Tennessee still has plans to develop cloud system storage for its student databases.

For all the foregoing reasons, we urge Tennessee and other PTAs to adopt Shelby County Council PTA's Resolution on Student Privacy.

RESOLUTION ON STUDENT PRIVACY PROTECTION

WHEREAS, Current trends towards a data driven approach in public education have caused an alarming proliferation in the amount of student data collected in public schools [1]; and

WHEREAS, Advanced technologies have caused concern among parents that students are being subjected to the experimental collection of biometric and psychometric data [2]; and

WHEREAS, Changes in privacy laws have now resulted in student data being collected without parental notification or consent for use by outside entities such as private companies, philanthropic organizations, governmental or quasi-governmental agencies [3]; and

WHEREAS, The explosion in student data available to private industry has created a potential for profiteering, commercialism, and other forms of exploitation involving children [4]; and

WHEREAS, The inability to safeguard the transmission and storage of student data makes children particularly vulnerable targets for identity theft [5];

NOW THEREFORE, be it

RESOLVED, Shelby County Council PTA shall urge the inclusion of parents in an open, transparent process to develop policies on the responsible collection of student data for purposes consistent with the educational interest of students; and

RESOLVED, Shelby County Council PTA shall urge the full and public disclosure of the type, method, purpose, use, and storage of data collected from students as well as a list of outside entities such as private companies, philanthropic organizations, governmental or quasi-governmental agencies having access to student data; and

RESOLVED, Shelby County Council PTA shall urge policies requiring informed parental consent in writing before any student data is collected with the intent to warehouse or be shared with outside entities such as private companies, philanthropic organizations, governmental or quasi-governmental agencies; and

RESOLVED, Shelby County Council PTA shall urge policies prohibiting the sharing and usage of student data with private businesses and other organizations with a potential to exploit student data in profiteering, commercialism, target marketing, or other for-profit activities; and

RESOLVED, Shelby County Council PTA shall urge maximum safeguards to protect student data from improper use or accidental release. In the event of a security breach, parents shall be notified of the details and informed of their rights; and

RESOLVED, Shelby County Council PTA shall urge all members, units, regions, and other councils within PTA to adopt this resolution or similar resolutions promoting the protection of student privacy; and

RESOLVED, Shelby County Council PTA shall urge the Tennessee State PTA to approve this resolution and take all action necessary to promote policies protecting student data and affirming the importance of privacy rights for Tennessee's public school children; and

RESOLVED, Shelby County Council PTA shall urge the Tennessee State PTA to submit a national version of this resolution to the National PTA for consideration at its 2014 convention.

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