

Testimony in Opposition to SB389 Student and Family Privacy Must Be Protected

presented by
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The Proponents who have requested that you pass this bill are more interested in protecting their jobs than they are in the privacy of Kansas students and their families. It is obvious from their testimony that once parents know the kind of data they want to collect, over 70% of them have NOT given permission for their child to take these Kansas Communities That Care Student Surveys.

Not once during the four years that I served on the State Board of Education before the 2014 privacy protections were passed into law did the Board ever receive or act on any data from this Survey to make any decision. Now that parents have a choice, most have refused to allow their child to respond to these frivolous questionnaires.

School personnel try to get parents to give permission to complete these surveys for the non-profit agencies with vague assurances that the data is anonymous and will not identify their child. But parents still say NO!! Now these outside groups are upset that they will lose their funding.

The fact is, that the jobs of half of the 250 people employed by the KSDE depend on getting the Federal grant they are personally responsible for administering, approved every year. At each month's Board meeting, we were asked to approve \$20 to \$30 million dollars' worth of these grants on the Consent Agenda with no discussion. When asked for data to verify if the grant money they spent has improved student achievement or been a benefit to any teacher, these employees had no answers.

Likewise, the agencies and non-profit agencies who are the recipients of these grants depend on getting their funding renewed every year. This particular survey has been given since 1995, but there is no evidence that the data they have collected all these years has decreased alcohol or drug use, stopped bullying or improved student achievement. It is "feel good data" which cannot be verified. Student and family privacy is much more important than whether these agencies can justify their jobs to the bureaucrats in Topeka or Washington with meaningless surveys.

The Right to Privacy is guaranteed in the U.S. Constitution. The Kansas Student Privacy Act was passed in 1976. 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. Even if it is supposedly reported in aggregate, the personal identifies in these surveys can be traced back to individual students and their families.**

If this bill was to pass, it will quickly allow other vendors to claim that they too have a legal right to collect data about Kansas children. The "horse will be out of the barn" with no way to get privacy back.

So, please do NOT work or pass this bill. Any student or family data must first receive parental or teacher written consent before it is collected or shared with any other agency, contractor or vendor outside their local school district. This is especially true of any "test, questionnaire, survey or examination containing questions about the student's or the student's parents' or guardians' beliefs on issues such as sex, family life, morality or religion".

Respectfully submitted,



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