



Build State and Local Capacity to Effectively Use Data, while Promoting Student Privacy and Confidentiality

Primary Message

State and district technology leaders support efforts to use data effectively in teaching and learning, while also striving to better protect student privacy. Congress should strengthen student privacy protections and support investments in ESSA, Title II, which will ensure requirements are well implemented by funding privacy focused professional development for educators.

Background

Over the past 18 months, approximately two thirds of States have approved new laws focused on promoting student data privacy. More than 30 State privacy bills have already been introduced this year. In Congress there are at least six pending bills providing new protections for students.. These measures include major proposals in the Senate and House to update the Family Educational Rights and Privacy Act and expand the Federal Trade Commission's authority over student data. Although we do not expect Congress to approve privacy legislation prior to the elections, the Senate and House Education committees, and possibly the Commerce committees, will discuss these measures. Educating Members of Congress about why student data is critical to supporting teaching and learning, and the steps States and districts are taking to protect student data, is an important step for ensuring that Congress balances privacy with legitimate educational data uses.

Core Talking Points

- Successful data use, including ensuring best in class privacy protections, not only requires sound policies and practices, but also meaningful attention to building the capacity of our school leaders, teachers, and other staff. We commend Congress for including language in the Every Student Succeeds Act, which permits the use of Title II's professional development resources for helping educators use data effectively, including better protecting student data privacy. We urge you to support additional funding for ESSA, Title II.
- Using technology to provide the right people, with the right data, at the right time is critical to effective decision-making at the classroom, school, district, and State levels. States and districts are working hard to ensure their data uses are supported and guided by well-designed strategies and practices to protect students.

Supplementary Talking Points

- Community based organizations, researchers, and private partners play an important role in supporting district's efforts to meet every student's needs. Collaborating with partners, including appropriately and lawfully sharing student information with them to improve teaching and learning, and to support school and district decision-making, greatly enhances our ability to improve student outcomes and efficiently run our district.
- We urge Congress to avoid overreaching in ways that might create unintended consequences for educationally appropriate data sharing, including prescriptions that disrupt appropriate private partnerships, research, evaluation, and other activities designed to support district administration and related State policymaking or stifle innovative and effective web based technology resources.
- Protecting student data is not a one-time event. Educators' data needs evolve, security threats are constantly changing, and professional development needs are ongoing. Our school district works to ensure that our policies reflect this dynamic environment; so that we can meet our educator's needs and anticipate and address policy or practice gaps that might compromise our students' privacy.