

April 29, 2014

To Commissioner King and the Board of Regents:

For more than two years, since the state entered into a data-sharing agreement with inBloom, you have refused to notify the public, hold hearings, or even answer parents' questions about your plans to disclose the personal information of their children to this corporation. Your lack of respect for student privacy and parental concerns was also made clear by the fact New York was the last state among nine to sever its relationship to inBloom and the ONLY one in which a law had to be passed to do this.

Now that inBloom is closing its doors and the new state law contains a range of new privacy protections, including a privacy officer who will develop a parent bill of rights, we urge you to demonstrate a new transparency and accountability by taking the following steps:

- 1-Minimize the state's collection and sharing of personal student data and maximize the opportunities for parental notification and consent;
- 2- Appoint an independent privacy advocate as your privacy officer, rather than someone from inside the NYS Education Department or from the corporate world;
- 3- Hold public hearings and elicit comments and suggestions from parents and other stakeholders as to the parent bill of rights and the regulations that will enact the new law, while also encouraging the public to submit their comments online and posting them;
- 4- Appoint an advisory board of parents, advocates, educators, administrators and privacy experts to guide your work going forward and to provide independent oversight for the state's P20 "cradle to the grave" student tracking system, that is designed to collect and link personal data on children from many state agencies;
- 5- Immediately post any and all contracts in which the State is providing personal student data to vendors and other third parties– including your agreement with the PARCC consortium that is developing the new tests that will replace the state exams;
- 6- These agreements should delineate exactly which data elements are being disclosed to third parties, what restrictions have been placed on their use, whether the third parties are barred from redisclosing the data without parental consent, what security and encryption protections are being used, and when the data will be destroyed.

If you take the steps outlined above, it will help demonstrate a new acknowledgement on your part that parents have a legitimate interest in the privacy and security of their children, which must be respected rather than ignored.

Sincerely yours,

Leonie Haimson, Class Size Matters, New York City

Tim Farley, founding member of NY State Allies for Public Education (NYSAPE) and Columbia County parent

Mary Adams, RN, MPH, Rochester City School District parent and Rochester City School Board member

Anna Shah, Parent; parent, Dutchess Co., founder: Hudson Valley Parent-Educator Initiative; Co-founder HVACC; NYSAPE member

Lisa Rudley, Ossining/Westchester County parent, Ossining Citizens For Schools, founding NYSAPE member

Marla Kilfoyle Teacher, NBCT, BATs General Manager

Sue Adler, City School District of Albany parent and School Board member

Nancy K. Cauthen, NYC parent, steering committee member of Change the Stakes and NYSAPE

Danielle Boudet, co-founder of Oneonta Area for Public Education & NYSAPE co-founder

Deborah Abramson Brooks, Esq., parent, Nassau County, co-author, Children's Data Protection and Privacy Petition

Chris Cerrone, Springville/Erie County parent/educator, West New Yorkers for Public Education, founding NYSAPE member

Jessica McNair, Oneida County parent, co-founder Opt Out Central NY, member NYSAPE

Katie Zahedi, Principal, NYSAPE

Melissa Barber, parent, Monroe County, founder of Rush-Henrietta parents against High Stakes Testing, NYSAPE

Jeanette Deutermann, parent, Nassau County, Founder LI Opt Out, Co-Founder NYSAPE

Bianca Tanis, Ulster County parent, Steering Member, Rethinking Testing Mid-Hudson, Co-founder, NYSAPE

Lori Atkinson Griffin, Lewis County teacher and NYSAPE member

Lisa Eggert Litvin, Co -President, Tracy Pyper, Vice President Advocacy, and the Hastings-on-Hudson PTSA Executive Board

Nan Berke & Mary Beth Evans, co-chairs, Scarsdale Parent-Teacher Council Legislation Committee