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State to parents: Common Core will not invade your privacy

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Parents opposed to the Common Core are protesting as the state is spending millions of dollars to collect student test data. They foresee Utah schools being forced to use the database to collect personal information, according to published federal guidelines, about students and families to share with researchers.

Not a chance, state officials say.

Utah has spent millions in federal grant money to create a database for student information. The federal agencies that gave out that money -- including the Institute of Education Science's National Center for Education Statistics -- have created a National Education Data Model that asks schools to collect data on students and parents including:

- religious affiliation;
- salary;
- whether parents own or rent their home, or use public housing;
- "the family's perception on the impact of the early intervention services of the child;"
- "the month, day and year of diagnosis, treatment or update of any health condition an individual may have experienced;"



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- whether parents are registered to vote;
- more than 200 diseases and medical conditions, including "pregnancy with abortive outcome;"
- whether the family receives food stamps and WIC; and
- "the usual time a student spends in a vehicle when riding from his or her transfer point or bus stop to the school including the subsequent return trip," along with hundreds of other questions.

But those questions are simply a federal "model, not a database," said Mark Peterson of the Utah State Office of Education. "That is, they show how to collect different data sets. Utah, or any other state, is not obliged to use all fields. Utah does not and will not use all fields. We have had a student-level data warehouse since 1998 from which we report aggregate data, not individual student data."

Utah gathers the student's name, date of birth, race or ethnicity, status as an English language learner, status for free or reduced-price lunch, district name, school name, teacher's name (to tie in with teacher performance), grade and academic test performance, he said.

In a resolution passed on May 2, the state board of education said the "Utah Office of Legislative Research and General Counsel has verified Utah's adoption of the Common Core State Standards does not require Utah or its school districts and charter schools to share data or report student information to the federal government or any other entity."

"We have not, do not and do not ever plan to collect information on political affiliation, sexual behavior, religious practices, psychological behavior testing, DNA or specific income," Peterson told the Daily Herald.

But some parents are convinced that, because Utah has accepted both federal money and the Common Core standards, the federal government will eventually force Utah to report private data as outlined in the National Education Data Model.

According to the state's grant application documents, "procedures are in place for protecting the security, confidentiality and integrity of data, which includes ensuring that individually identifiable information about staff and students remains confidential in accordance with the Family Educational Rights and Privacy Act."

This sentence in particular has set parents on edge because the loopholes for legally breaching confidentiality according to FERPA are numerous.

According to FERPA, "generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record." However, FERPA allows schools to disclose those records "without consent" in nine circumstances, once of which is when the data is requested by "organizations conducting certain studies for or on behalf of the school."

Concerned parents simply do not want their private information made available to researchers. As proof for the potential for abuse, they point to the revelation this week that the IRS used data to target Tea Party groups.

"The IRS scandal is the perfect example of why we don't want data shared with the federal government," said Highland parent Oak Norton, who opposes the state database. "And it is all just coming to light now."

"I spoke with Carol Lear who is the in-house attorney at the State Office of Education," said Alisa Ellis, a mother of school children in Heber City who became more concerned the more she learned



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about the state's database of information. "She told me to just put a note in each of my children's files stating that I do not allow personally identifiable information to be released. That is not good enough."

That is because, according to FERPA documents, parents have rights to their student's education records "except to the extent that FERPA authorizes disclosure without consent."

"As you can see I have no power as a parent, Ellis told the Daily Herald. "The policy overrides that authority."

Parents' only protection is in limiting the amount of data the state collects. They fear Common Core will force the federal data preference on Utah families.

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State officials told the Daily Herald that what little information the state collects is held in the database in such a way that researchers and others cannot link it with specific students. But language in the state's application could be interpreted otherwise, which also leaves parents concerned.

According to the state's federal grant application paperwork, one of the goals of collecting this information is to promote "linkages across states to allow sharing of historical data on individual students."

Norton and Ellis told the Daily Herald that the Legislature needs to proactively create ironclad legislation that would prohibit the state from collecting and sharing any private information on students and families at federal behest. They said it is fine for individual teachers and school staff to have access to information about families, but warehousing that information in databases accessible to the federal government and researchers would mean parents have lost the right to protect the privacy of their kids, especially if the federal government forces its preferred data model on the state as a consequence of accepting the Common Core.



-- Caleb Warnock covers 11 cities in north Utah County and is also the Daily Herald's environmental reporter. You can find him on Facebook and at calebwarnock.blogspot.com.
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