Putting Private Info on Government Database

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Far more personal information on students than is necessary is being collected by public schools, according to the Fordham Law School Center on Law and Information Policy, which investigated education records in all 50 states. States are failing to safeguard students' privacy and protect them from data misuse.

Some states collect a lot of data that has nothing to do with student test scores, including Social Security numbers, disciplinary records, family wealth indicators, student pregnancies, student mental health, illness and jail sentences. A couple of states record the date of a student's last medical exam and a student's weight.

The Fordham study reported that this collection of information is often not compliant with a 35-year-old law, the Family Educational Rights and Privacy Act (FERPA). The only punishment for a FERPA violation is for the Department of Education to withhold federal education funding, but the department has never done that.

The building of databases that track students from pre-school through entry into the workforce began with the emphasis in the 1990s on testing and standards, and was expanded under "No Child Left Behind" mandates. This data collection has been proceeding at what observers call a "breakneck pace" under the Obama administration because of the offer of federal grants awarded through the Race to the Top competition, the American Recovery and Reinvestment Act and $250 million in stimulus funds.

Fordham law professor Joel R. Reidenberg, who oversaw the Fordham study, said that states are "trampling the privacy interests of those students." He warns that years later, when these kids are adults, information from their elementary, middle and high school years can easily be misused by hackers and others.

The Fordham report made numerous recommendations to beef up student privacy, such as collecting only

information relevant to articulated purposes, purging unjustified data, enacting time limits for data retention and hiring a chief privacy officer for each state. There is no indication that these suggestions will be implemented.

The Obama Department of Education officials believe that collecting personally identifiable data is "at the heart of improving schools and school districts." One of the four reform mandates of the Race to the Top competition is to establish pre-kindergarten to college-and-career data systems that "track progress and foster continuous improvement."

The advocates of this massive data collection, in which individual students are clearly identifiable, claim that this is necessary to enable policymakers and educators to evaluate student and teacher performance. They assert that this enables educators to predict which students are in danger of dropping out, determine which are better teachers and better curricula, and track trends in academic progress by ethnicity and income level.

The advocates of this massive data collection seem to have little or no concern for privacy protection. Some 80 percent of states do not have a system to delete student records and therefore are likely to maintain them indefinitely.

Department of Education Secretary Arne Duncan has an important ally in the Data Quality Campaign (DQC) for promoting this unprecedented student data system. All 50 states now have in place at least five of the DQC's 10 "essential elements" for a statewide longitudinal data system, and 47 states plan to have eight or more elements in place within the next three years.

DQC was founded in 2005, largely with money from the Bill and Melinda Gates Foundation, and DQC's January 2010 publication, "The Next Step," praises the "enormous progress" states have made in developing these pre-K through college data systems. The DQC website explicitly supports linking education data with "workforce, social services and other critical state agency data systems."

A recent Education Week article noted that privacy laws make it challenging to link K-12 and postsecondary data in states that prohibit schools from storing students' Social Security numbers. However, the Fordham Center reports that at least 16 states already record each child's SSN.

Those who object to this organized invasion of student privacy warn that some states might change their laws about Social Security numbers in order to receive federal grants offered by the Department of Education for the building of longitudinal student databases. The changing of such laws may be what the DQC has in mind with its plan to help states "identify and put in place the necessary policies and practices" to implement longitudinal data systems.

This massive collection of private information on all schoolchildren is an ominous imitation of the file (called dang'an) on each student's performance and attitudes, from school years through employment, compiled by communist China on every individual in order to exercise totalitarian control over the population. In China, it became impossible to get a job unless the individual had a dang'an approved by the authorities.

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