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CATHERINE NOLAN 37TH Assembly District Queens County

> Commissioner John King New York State Education Department 89 Washington Ave. Albany, NY 12234

December 16th, 2013

Dear Commissioner King,

Thank you again for your recent testimony at the Assembly Education Committee's hearing on student privacy and data collection. We appreciated that you took the time to respond to our questions.

As a result of the hearing, we find ourselves with serious concerns about the State Education Department's plan to share sensitive student data with InBloom. Many of the witnesses at the hearing presented moving and credible testimony about the potential flaws of this plan. One witness, Pleasantville Superintendent Mary Fox Alter, summed up these concerns in her submitted testimony:

"The promise of digital personalized learning that uses individual data points on a child to plan digital learning solutions is dangerous. We cannot micromanage the learning needs of students or allow isolated data elements to be interpreted through a computer game, smartphone app or educational software to design learning. Students are human beings with individual needs, characteristics and learning trajectories."

After listening to Superintendent Fox Alter and so many other parents and teachers, we feel compelled to question this plan. We do not believe the State Education Department should share this information with InBloom, especially not at this time.

As you know, the Assembly passed two pieces of legislation this year aimed at curbing third party access to student data. Both bills, A.7872-A (Nolan) and A.6059-A (O'Donnell), passed the Assembly unanimously. We ask the State Education Department to provide us with input and review on this matter and look forward to your response to our requests.

We thank you for your time and consideration regarding this matter.

Sincerely, Cartenne Rolan

Catherine Nolan

The following Assemblymembers join me in signing on to this letter:

Assemblymember Thomas Abinanti Assemblymember Didi Barrett Assemblymember Michael Benedetto Assemblymember David Buchwald Assemblymember Anthony Brindisi Assemblymember Harry Bronson Assemblymember Marcos Crespo Assemblymember Michael Cusick Assemblymember Steven Englebright Assemblymember Patricia Fahy Assemblymember Dennis Gabryszak Assemblymember Sandra Galef Assemblymember Deborah Glick Assemblymember Philip Goldfeder Assemblymember Aileen Gunther Assemblymember Carl Heastie Assemblymember Rhoda Jacobs Assemblymember Ellen Jaffee Assemblymember Ronald Kim Assemblymember Charles Lavine Assemblymember Barbara Lifton Assemblymember Donna Lupardo Assemblymember William Magee Assemblymember William Magnarelli Assemblymember Alan Maisel Assemblymember Margaret Markey

Assemblymember Shelley Mayer Assemblymember John McDonald Assemblymember Michael Miller Assemblymember Joan Millman Assemblymember Walter Mosley Assemblymember Daniel O'Donnell Assemblymember Steven Otis Assemblymember Amy Paulin Assemblymember Crystal Peoples-Stokes Assemblymember Annette Robinson Assemblymember Gabriela Rosa Assemblymember Linda Rosenthal Assemblymember Addie Russell Assemblymember Michelle Schimel Assemblymember Luis Sepulveda Assemblymember Frank Skartados Assemblymember James Skoufis Assemblymember Michaelle Solages Assemblymember Phil Steck Assemblymember Robert Sweeney Assemblymember Fred Thiele Assemblymember Matthew Titone Assemblymember Harvey Weisenberg

Assemblymember Kenneth Zebrowski