

Citywide Council on English Language Learners (CCELL)
Department of Education of the City of New York

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Citywide Council on English Language Learners (CCELL) Resolution #12
RESOLUTION FOR THE NEED TO PROTECT STUDENT PRIVACY
May 7, 2013

WHEREAS, New York State and NYC Department of Education (DOE) have agreed to share confidential student and teacher data with a Gates-funded corporation called inBloom Inc.; and

WHEREAS, this confidential data will include children's personally identifiable information, including name, address, grades, test scores, disciplinary records, attendance, race, ethnicity, economic status, disabilities, health conditions and other highly sensitive information; and

WHEREAS, this information is to be stored in an electronic "data store" built by Wireless Generation, a subsidiary of Rupert Murdoch's News Corporation, which has been found to have illegally violated privacy in Great Britain and in the US; and

WHEREAS, this information is to be placed on a data cloud managed by Amazon.com, and in a recent survey, 86% of technology professionals said they did not trust clouds to hold their organization's more sensitive data; and

WHEREAS, inBloom Inc. has already stated that it "***cannot guarantee the security of the information stored...or that the information will not be intercepted when it is being transmitted***"; and

WHEREAS, inBloom Inc. intends to make this highly confidential data available to commercial vendors to help them develop and market their "learning products"; and

WHEREAS, all this is happening without parental notification or consent; and

WHEREAS, Assembly member O'Donnell has introduced a bill, A6059, that would require parental notification and consent before any confidential, personally identifiable student data is disclosed to third party vendors; and therefore be it

RESOLVED, that NYS Education Department & NYC DOE should immediately be obligated to:

1. Notify parents of these impending disclosures in all DOE standard languages and provide them with the right to consent before their child's information is shared;

2. Hold public hearings to explain the point of these disclosures, and hear the concerns of parents & privacy experts about how this plan risks children's privacy, security and safety;
3. Explain how families can obtain relief if their children are harmed by the improper use or accidental release of this information, including who will be held financially responsible;
4. Pledge that the privacy rights of public school children and their families will be respected over the interests of the Gates Foundation, inBloom Inc., News Corp, or any other company or organization; and therefore be it further

RESOLVED, that the Citywide Council on English Language Learners urges our state and local elected representatives to support, co-sponsor and endorse A6059, so that our children's privacy is protected and parents are provided with full notification and the right to consent before any disclosures occur.

Approved by CCELL: May 7, 2013