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***The need to protect student privacy: sample resolution for Community Education Councils, Community Boards, President Councils & PTAs***

Whereas New York State and NYC Department of Education have agreed to share confidential student and teacher data with a corporation called inBloom Inc.;

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;

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;

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;

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***.”

Whereas inBloom Inc. intends to make this highly confidential data available to commercial vendors to help them develop and market their “learning products”;

## Whereas all this is happening without parental notification or consent;

## Whereas Seven out of the nine original states were originally “partners” with inBloom have now pulled out, because of protests by parents and privacy advocates;

Whereas: a bill, [A6059](http://open.nysenate.gov/legislation/bill/A6059-2013),passed the Assembly last session, that would require parental notification and/ consent before any confidential, personally identifiable student data is redisclosed to third party vendors;

Whereas another bill, [A.7872](http://open.nysenate.gov/legislation/bill/A7872-2013). also passed that would require parental opt out of any sharing of personally identifiable student information with third parties.

Whereas both bills have now been introduced in the Senate as [S.5930](http://open.nysenate.gov/legislation/bill/S5930-2013) and [S.5932](http://open.nysenate.gov/legislation/bill/S5932-2013).

**Be it resolved**: that NYS Education Department & NYC DOE should immediately be obligated to:

* Notify parents of these impending disclosures and provide them with the right to consent before their child’s information is shared;
* 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;
* 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;
* 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 Corporation, or any other company or organization.

**Be it also resolved***:* that we urge our state representatives to support, co-sponsor, endorse and approve [A6059](http://open.nysenate.gov/legislation/bill/A6059-2013), [A7872](http://open.nysenate.gov/legislation/bill/A7872-2013), [S.5930](http://open.nysenate.gov/legislation/bill/S5930-2013) and [S.5932](http://open.nysenate.gov/legislation/bill/S5932-2013) ,so that our children’s privacy is protected and parents are provided with full notification and the right to consent before any disclosures occur.