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**Subject:** Fwd: SB 204

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**From:** Anne Barkis (Anne@mendezconsultinginc.com)

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**To:** Vicki@VickiMarble.com; vicki.marble.senate@state.co.us;

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**Date:** Monday, April 28, 2014 5:12 PM

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Anne Barkis, Senior Associate  
Mendez Consulting

Sent from my iPhone

Begin forwarded message:

**From:** "Denise Maes" <DMAes@aclu-co.org>  
**To:** "Anne Barkis" <Anne@mendezconsultinginc.com>  
**Subject:** SB 204

ACLU supports SB 204.

Students have privacy rights, too. The right to privacy is not limited to adults. And schools collect a wealth of data on its students. Some of this—such as grades, discipline problems, and attendance—makes sense for educators within the school. It can be vital to a good education and making certain our students get the best education available.

Other data, however, is not necessary to this goal and in fact, can have counterproductive outcomes. I'm talking about information such as pregnancy, mental health, victimization, and criminal histories. Collecting this information is excessive. Sharing any of it is unnecessary and without proper consent is an invasion of privacy. This bill reigns in this excessive collection and sharing.

In addition to the obvious privacy harm – who wants faceless bureaucrats or private companies knowing if you cheated on a test or got sent to the principal? - expanding access to educational records is almost certain to lead to an increase in the number of student records that are lost or misused. According to the Privacy Rights Clearinghouse, which monitors data breaches, 8,584,571 student records<<http://www.privacyrights.org/data-breach>> have been lost from 543 different breaches since 2005. In the past three months alone we have seen stories of thousands of student's records being compromised in New York<<http://www.myfoxny.com/dpp/news/student-records-found-dumped-in-trash-bins-20110328>>, South Carolina<<http://www.live5news.com/story/14468839/hackers-may-have-accessed-thousands-of-students-information>>, Pennsylvania<<http://readingeagle.com/article.aspx?id=301685>>, Ohio<<http://www.newarkadvocate.com/article/20110419/NEWS01/104190308>>, and Texas<<http://www.texastribune.org/texas-education/public-education/more-student-ssns>>

were-at-risk-tea-says/>. The more people who handle this incredibly sensitive information, the more likely these records will be vulnerable to either negligence or hackers. Ultimately, if data is shared widely, we could soon see this information being shared between states, resulting in a database of sensitive information of most Americans.

Our private education information cannot become an open book.

Denise S. Maes | Public Policy Director

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