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December 18, 2015

By U.S. Mail and Email

The Honorable David P. Sokola
Delaware State Senate
411 Legislative Avenue
Dover, DE 19901

The Honorable Earl G. Jaques, Jr.
Delaware House of Representatives
411 Legislative Avenue
Dover, DE 19901

Re: Student Data Privacy Task Force (SS 1 for SB 79)

Dear Senator Sokola and Representative Jaques:

As Chairperson of the Student Data Privacy Task Force, I write to provide you with a report on the Task Force's activity to date and anticipated next steps, and to request your permission, as Chairs of the Senate and House Education Committees, for the Task Force to continue its work into 2016 in order to ensure that the Task Force can complete the important work for which it was formed.

The Student Data Privacy Task Force ("Task Force") was established by the Student Data Privacy Protection Act, SS 1 for SB 79 in the 148th General Assembly ("Act"). Section 3 of the Act directs the Task Force to study and make findings and recommendations regarding the development and implementation of a comprehensive framework to govern the privacy, protection, accessibility, and use of student data within and as part of the State's public education system.

The Task Force held its first meeting on September 17, 2015. Eight of the Task Force's eleven members were in attendance, with two of the members participating by videoconference for discussion purposes only. The Task Force discussed the scope and components of a comprehensive framework, the distinction between data privacy and data security, and best practices for both. The Task Force also reviewed applicable State and federal laws and regulations, and how those laws

and regulations serve data protection and data management purposes. The Task Force also discussed background information members could access to get more information on the overall topic of student and general data privacy, and identified several recommended sources. Finally, the Task Force discussed its work going forward, and agreed that the Task Force should focus on three broad areas: (i) data governance and management; (ii) transparency and accountability; and (iii) supports for schools and educators.

Unfortunately, efforts to hold meetings in October and November failed for lack of a quorum.

The Task Force met again on December 9, 2015. Seven members of the Task Force were in attendance. After reviewing and approving the minutes of the Task Force's September 17 meeting, the Task Force discussed the need to find a path forward for the Task Force's work, and how to do so in light of the December 18, 2015 deadline for the Task Force to submit a report of its findings and recommendations. The Task Force members in attendance all agreed the Task Force's work is important and should be seen through to completion despite the Task Force's fitful start.

The Task Force discussed how to accomplish that goal, and agreed upon a proposed approach whereby, starting in February 2016, the three broad topics—data governance and management, transparency and accountability, and supports for schools and educators—will be discussed over as many as three consecutive meetings each (for a total of nine meetings). (The January 2016 meeting will be devoted to discussing and organizing the work to be done during the subsequent meetings.) For each topic, the first meetings will be informational and background-oriented, with members identifying questions to be asked and issues to be addressed. Second meetings will examine the current framework in Delaware addressing the topics, in other words, what Delaware already has in place. Third meetings will address any gaps in or concerns with the current framework, and recommend ways in which the current framework can be improved. Members of the Task Force will divide into subgroups to take on responsibility for guiding the Task Force's consideration of each of the three topics. Subsequent to these meetings, the Task Force will prepare a final report outlining its findings and recommendations and deliver that report to both of you, with copies to the Directors of the Division of Research and the Public Archives.

The Honorable David P. Sokola
The Honorable Earl G. Jaques, Jr.
December 18, 2015
Page 3

The Task Force believes it can accomplish this work by October 2016, which should enable the Task Force to deliver a final report in advance of the commencement of the 149th General Assembly in January 2017. To that end, the Task Force hereby requests your permission for the Task Force to continue its work into 2016 in order to complete the important work for which it was formed.

Thank you for your consideration of the Task Force's request, and I am available at your convenience if you have any questions.

Respectfully submitted,



Christian Douglas Wright, Chair
Student Data Privacy Task Force

CDW/mmi

cc: Ms. Lori N. Christiansen, Director, Division of Research
Mr. Stephen M. Marz, Director, Delaware Public Archives
Members, Student Data Privacy Task Force
(all by email)