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**STATE OF IDAHO**  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
**Mr. Tom Luna**

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August 8, 2013

Dear Governor C.L. "Butch" Otter, Chairman John Goedde and Chairman Reed DeMordaunt:

In recent months, the Idaho State Department of Education has fielded many questions related to data collection in education. As the state moves toward higher academic standards in mathematics and English language arts, some have tried to make a connection between our transition to these new standards and data collection. We all know this is not the case. The two are completely unrelated. However, many individuals have raised concerns about data collection that are valid and should be taken seriously.

As State Superintendent, a father, a grandfather, and a strong conservative, I believe we must always remain vigilant in how we protect and maintain the data we collect in our public education system. Data is a necessary part of any organization or industry to ensure we can track progress and make the best possible decisions at the state and local levels. The fact is, without quality data, we can never truly have accountability. At the same time, we must make sure that any and all data collected on students and their families remains safe and secure. I believe we have laws in place in Idaho today that are working to protect every student, but the revelation in recent months regarding the National Security Agency and its monitoring of phone data should give every U.S. citizen pause. It certainly has given me pause.

Therefore, I have strongly encouraged a robust discussion about data collection and its safety and security at the state level. I supported a resolution at the Idaho Republican Party State Central Committee meeting in June for the state to reject the collection of personal student data for any non-educational purpose and to institute safeguards that prevent the federal government from acquiring data on individual Idaho students and their families. To this end, I plan to do everything in my authority as State Superintendent to make the tenets of this resolution a reality.

While the State Board of Education is working to update its data collection policies, I believe we should examine a stronger approach either through an executive order or through legislation. An executive order is immediate action the Governor can take to establish a firewall to ensure that no personally identifiable data on students (with the exception of information required for the Migrant Student Database) and/or their families' religion, political party affiliation, biometric information, psychometric data and/or voting history shall be collected, tracked, housed, reported or shared with the federal government.

In the longer-term, we could also run similar language as legislation in a bill during the 2014 Legislative Session to codify this firewall between the state and the federal government. This would ensure that not now nor at any time in the future could the state, a local school district or public charter school legally disclose individual, student-level data to the federal government.

I stand in strong support of both courses of action, and I will be the first to introduce legislation in 2014, if necessary. I look forward to working with you to make these stronger protections a reality because I believe this will not only further protect the students of Idaho, but it will further reinforce Idaho's sovereignty as a state.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Luna", with a long horizontal flourish extending to the right.

Tom Luna  
Superintendent of Public Instruction

cc: State Board of Education members