

Sen. Sonia Chang-Diaz, Chair
Joint Committee on Education
State House Room, 111
Boston, MA 02133

Rep. Alice Hanlon Peisch, Chair
Joint Committee on Education
State House, Room 473G
Boston, MA 02133

Dear Madame Chairs:

My name is Merrie Najimy. I am the president of the Concord Teachers Association.

I ask you to imagine that your child took the PARCC test this spring, which some of your children have. Late afternoon, she exercised her First Amendment right and tweeted about one of the test items. That evening Pearson, the multi-billion dollar British publishing corporation that produces the PARCC tests, contacts an official at the state Department of Elementary and Secondary Education, alerts her that your child tweeted about the test, and asks the official to contact the Superintendent of your child's school and requests that your child be suspended. The state education official obliges.

This is the story that award-winning, education journalist Bob Braun broke on March 13 about what happened to three students at Watchung Hills Regional High School in Warren, NJ.

Now imagine that the teacher of your child viewed the PARCC test content wanting to see if it was age-appropriate and accurate, as all teachers want to ensure for their students. This teacher was concerned about the content and discussed it with colleagues. As a result, he gets fired and has his license revoked. While I don't know of any instances of this happening yet, there is a real possibility that it could. Commissioners of Education, including our own Commissioner Chester, directed teachers responsible for administering PARCC to sign a PARCC Assessment Security Agreement with a party whose identity is uncertain, but which certainly involves the private corporation, Pearson. The collective bargaining agreements between local teachers associations and school committees govern the terms and conditions of teachers' employment. Pearson is intruding into this relationship.

These are stories of the violation of students' privacy rights under corporate education reform, the erosion of parents' ability to protect their children and the encroachment of corporations into the relationship between school committees, teachers, students and families.

Bob Braun's investigative reporting revealed that Pearson is invoking an intellectual property claim to monitor social media of students taking PARCC. He writes, "Pearson will collaborate with Caveon Test Security to provide Internet and social media monitoring services." But, Pearson does not own the test; therefore it does not own the questions. So it does *not* have the intellectual property rights that it claims to have. The PARCC consortium is made up of 12 states, including Massachusetts. Commissioner Chester is the chair of the PARCC governing board. The PARCC consortium owns the test and the questions.

Worse yet, Pearson has been able to obtain confidential information from social media sites such as Facebook and Tweeter, to identify students who used only a pseudonym. Pearson is spying on our kids.

Pearson is unaccountable to legislators, school committees, parents, teachers, students, the public in general and Departments of Education. In fact they demand that we be accountable to them. They impose sanctions on students, teachers, and schools. There are many questions to be answered, which I've included below. Pearson's spying must be stopped and they must be held to account. This is yet one more reason why we need a moratorium on high stakes testing, particularly when it is administered electronically.

I am in support of H340 An Act relative to a moratorium on high stakes testing and PARCC filed by Rep. Marjorie Decker (D-Cambridge), and request the Committee report it favorably from Committee as soon as possible.

Sincerely,

Merrie Najimy, President
Concord Teachers Association

cc: Joint Committee on Education Members & Staff
Sen. Patricia Jehlen, Vice Chair
Rep. Danielle Gregoire, Vice Chair

Excerpt from **Contract**: Pearson has contract with states in the PARCC coalition:

"Pearson will collaborate with Caveon Test Security to provide Internet and social media monitoring services. Caveon's team will patrol the Internet, websites, blogs, discussion forums, video archives, social media, document archives, brain dumps, auction sites, media outlets, peer-to-peer servers, etc., for information related to the PARCC Spring, End of Course, small volume block schedule, and summer retake administrations. The Caveon Web Patrol service addresses risks to test and items posed by illicit discussion, distribution, and sale of test content on the Internet. This service uses a suite of proprietary search methodologies and technology tools, in concert with human expertise. Caveon will generate regular updates that will categorize identified threats by level of actual or potential risk based upon the representations made on the web sites, or actual analysis of the proffered content."

Questions to Raise

- How could Pearson identify a student who used only a pseudonym?
- What information does Pearson have on the children who are taking the test?
- Where did they get it?
- Have parents been informed that Pearson has this information?
- Does Pearson's false claim to intellectual property supersede the privacy rights of students and their parents?

- Why does a 3rd party have more rights than parents especially when it comes to the privacy of minors?
- If NJ Department Of Education is collaborating with Pearson on monitoring students, reporting to school districts and demanding disciplinary action of the district, is the Massachusetts Department of Elementary and Secondary Education (DESE) doing the same?
- If so, will our administrators be collaborating and monitoring students? Will they be asked and expected to discipline students at Pearson and/or DESE's request?
- Are the School Committees and superintendent aware of Pearson's contract with states in the PARCC Coalition? What is the role of School Committees, here and in all of the PARCC consortium states?
- What is our rush to jump into PARCC? Is it because our Commissioner of Education, Mitchell Chester is on the Board of PARCC? Is that not a conflict of interest?