



STATE REPRESENTATIVE

**TOM LARSON**

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**Testimony on Assembly Bill 616  
January 15, 2014**

Mr. Chairman and committee members, thank you for the opportunity to speak to you today on behalf of Assembly Bill 616.

In the course of the hearings head by the Select Committees on Common Core Standards, of which I was a member, one of the many concerns parents and other interested parties raised was the possibility of schools collecting students' biometric data.

The Legislative Reference Bureau's analysis of AB 616 provides several examples of biometric technologies: fingerprint identification, retinal scanning, and hand or palm geometry. A draft report prepared by the U.S. Department of Education's Office of Educational Technology refers to several other biometric "data mining" techniques, including facial recognition cameras, posture analysis seats, pressure mice, and skin conductance sensors.

Although some of these devices are used for experimental purposes, to determine how students react in certain teaching environments, speakers at the select committee hearings expressed concerns that such devices may one day be used in the classroom as a matter of course.

According to a memo prepared by Legislative Council staff, no Wisconsin school currently engages in such practices, but state statutes do not currently prohibit such practices, either. The Common Core Standards themselves also do not require or even authorize the collection of students' biometric data. However, in the face of ever-evolving technologies, the Assembly select committee believed it was appropriate to be proactive and restrict school districts' ability to collect their students' biometric data. It is not a problem right now, but we owe it to our children and their families to make sure it does not become a problem in the future.

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To that end, AB 616 simply prohibits a school district from collecting a student's biometric data unless his or her parent or guardian provides written consent. The bill also authorizes the Attorney General or a district attorney to enforce this provision in court if necessary.

Thank you for consideration. I am happy to answer any questions you may have.



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## WISCONSIN LEGISLATIVE COUNCIL

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*Terry C. Anderson, Director*  
*Laura D. Rose, Deputy Director*

TO: REPRESENTATIVE DEAN KNUDSON

FROM: Anne Sappenfield, Senior Staff Attorney

RE: Use of Blood Pressure Cuffs, Pressure Sensors, and Posture Chairs Under the Common Core State Standards

DATE: October 16, 2013

You have asked whether the Common Core State Standards (CCSS) require or authorize schools to use blood pressure cuffs, pressure sensors, or posture chairs as part of instruction or assessment of pupils or to collect student data. You have also asked if any schools in Wisconsin have implemented such practices and whether such practices would raise legal concerns. The CCSS does not require or authorize the use of blood pressure cuffs, pressure sensors, or posture chairs as part of instruction or assessment of pupils or to collect student data. I am not aware of any Wisconsin schools using such practices as part of instruction or assessment or to collect student data.

### BACKGROUND ON THE CCSS

The CCSS set benchmarks for student knowledge and skills for each grade level from Kindergarten through 12th grade. They do not set forth how the standards are met or the way students are assessed to determine if they have met the benchmarks. As an example, one of the 6<sup>th</sup> grade English language arts standards is to write arguments to support claims with clear reasons and relevant evidence. As part of this standard, a student is expected to:

- Introduce claims and organize the reasons and evidence clearly.
- Support claims with clear reasons and relevant evidence, using credible sources and demonstrating an understanding of the topic or text.
- Use words, phrases, and clauses to clarify the relationships among claims and reasons.
- Establish and maintain a formal style.

- Provide a concluding statement or section that follows from the argument presented.

One of the 6<sup>th</sup> grade CCSS for mathematics is as follows:

Find the area of right triangles, other triangles, special quadrilaterals, and polygons by composing into rectangles or decomposing into triangles and other shapes; apply these techniques in the context of solving real-world and mathematical problems.

## DISCUSSION

School districts are not specifically authorized to use blood pressure cuffs or posture chairs unless indicated by a medical or therapeutic need. For a child with a disability, use of such practices would be set forth in the student's individualized education program. [s. 115.787, Stats.] In addition, there is no specific authorization to use pressure sensors. However, there is no specific prohibition on these practices.

If a school board were to implement such a practice, there are some legal considerations.

First, certain of these practices may involve physical restraint of a student. Under current law, a student may be physically restrained only if all of the following conditions are met:

- The pupil's behavior presents a clear, present, and imminent risk to the physical safety of the pupil or others and it is the least restrictive intervention feasible.
- There are no medical contraindications to its use.
- The degree of force used and the duration of the physical restraint do not exceed the degree and duration that are reasonable and necessary to resolve the clear, present, and imminent risk to the physical safety of the pupil or others.
- None of the following maneuvers or techniques are used:
  - Those that do not give adequate attention and care to protecting the pupil's head.
  - Those that cause chest compression by placing pressure or weight on the pupil's chest, lungs, sternum, diaphragm, back, or abdomen.
  - Those that place pressure or weight on the pupil's neck or throat, on an artery, or on the back of the pupil's head or neck, or that otherwise obstruct the pupil's circulation or breathing.
- It does not constitute corporal punishment, as defined under current law.

- The school employee does not use a mechanical or chemical restraint on the pupil. The statute specifies that the use of supportive equipment to properly align a pupil's body, assist a pupil to maintain balance, or assist a pupil's mobility, under the direction and oversight of appropriate medical or therapeutic staff, does not constitute the use of a mechanical restraint.

[s. 118.305 (3), Stats.]

Second, a school district would have to carefully consider the disclosure of any data collected from monitoring blood pressure or other vital signs. Under state and federal laws, student information is confidential and may be disclosed only as permitted under those laws. [s. 118.125, Stats., and 34 C.F.R. Part 99.] If a health care professional is involved in any of these practices, any records would also be considered confidential health care records. [s. 146.82, Stats.]

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

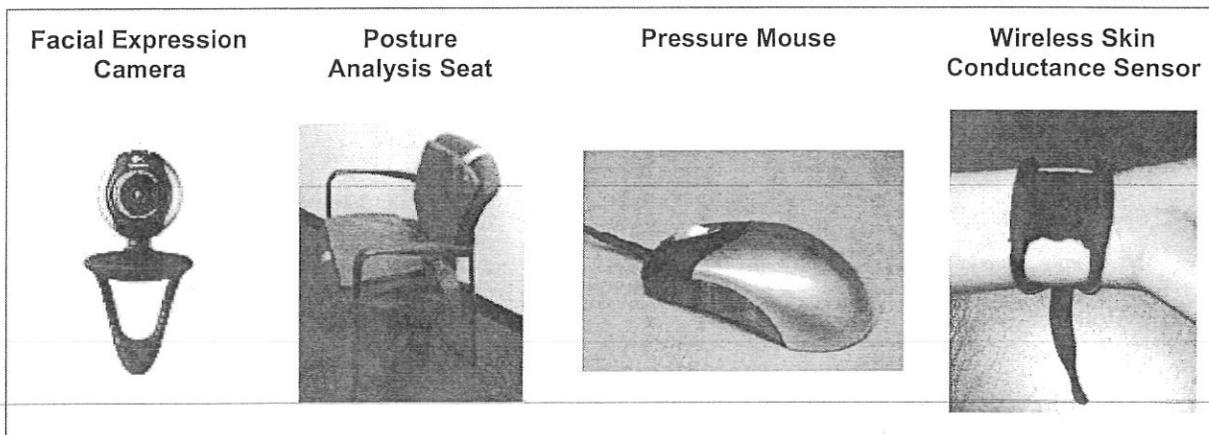
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Interaction patterns also can be explored by tracking eye moments to see where learners focus attention during problem solving. Conati and Merten (2007), for example, used an eye-tracking device to examine metacognitive behaviors that are relevant for learning mathematical functions. The device provided information about how learners explored the stimuli, in this case the relationship between a function's graph and equation.

Examples of affective computing methods are growing. McQuiggan, Lee, and Lester (2007) have used data mining techniques as well as physiological response data from a biofeedback apparatus that measures blood volume, pulse, and galvanic skin response to examine student frustration in an online learning environment, *Crystal Island*. Woolf, Burleson, Arroyo, Dragon, Cooper and Picard (2009) have been detecting affective indicators within an online tutoring system *Wayang Outpost* using four sensor systems, as illustrated in Exhibit 11. Sensors provide constant, parallel streams of data and are used with data mining techniques and self-report measures to examine frustration, motivation/flow, confidence, boredom, and fatigue. The MIT Media Lab *Mood Meter* (Hernandez, Hoque, & Picard, n.d.) is a device that can be used to detect emotion (smiles) among groups. The Mood Meter includes a camera and a laptop. The camera captures facial expressions, and software on the laptop extracts geometric properties on faces (like distance between corner lips and eyes) to provide a smile intensity score. While this type of tool may not be necessary in a small class of students, it could be useful for examining emotional responses in informal learning environments for large groups, like museums.

**Exhibit 11. Four parallel streams of affective sensors used while a student is engaged in *Wayang Outpost*, an online tutoring system**



Source: Woolf, B., Burleson, W., Arroyo, I., Dragon, T., Cooper, D., & Picard, R. (2009). Affect-aware tutors: Recognising and responding to student affect. *International Journal of Learning Technology*, 3/4, 129-164.

The field of neuroscience also offers methods for insight into some of the psychological resources associated with grit, especially effortful control. Using neuroimaging techniques, such

To: Assembly Committee on Education  
From: Jennifer Kammerud, Legislative Liaison, DPI *JK*  
Date: January 15, 2014  
Re: 2013 Assembly Bill 616

Assembly Bill 616 (AB 616) will create dangerous situations for students and staff in our schools and criminalizes actions staff may take to safeguard students. Due to a lack of any definitions in the bill it would appear to prohibit a broad range of activity in school districts. How school districts could even begin to anticipate getting parental permission for every student and every conceivable circumstance this bill would prohibit is mindboggling.

What follows is a partial list of just some of the activities that this bill would appear to criminalize if done without parental permission.

- Monitor blood pressure.
- Counsel students related to medical concerns.
- Implement and record required screening programs.
- Administer daily and PRN (as needed) medications and nursing care procedures prescribed by the student's physician.
- An individualized health care plan developed for students with chronic conditions
- An emergency plan to manage potential emergency events in the school setting (diabetes, asthma).
- Provide screening and referral for health conditions.
- Provide for the physical and emotional safety of the school community by monitoring immunizations, ensuring appropriate exclusion for infectious illnesses, and reporting communicable diseases as required by law
- Provide counseling, instruction, and mentoring for those struggling with social, emotional, and behavioral problems in individual or small-group settings or crisis response.
- Make referrals and help coordinate community support services.
- Design and implement academic and behavioral interventions.
- Complete psychosocial assessments to assist in the determination of special education services.
- Determine and implement appropriate therapeutic strategies to effect changes in behavioral-social interactions.
- Provide staff consultation on behavioral-emotional-environmental issues affecting student participation in the learning process
- Complete functional behavior assessments on identified students
- Complete risk assessments on referred students
- Coordinate ongoing systemic activities designed to assist students in establishing personal goals and developing future plans
- Assist students in achieving greater physical fitness through heart rate monitoring, body mass indexing, pedometers, etc. in physical education or health.



Software & Information  
Industry Association

www.siaa.net



January 15, 2014

The Honorable Steve Kestell  
Chair, Committee on Education  
Wisconsin State Assembly  
Madison, WI 53708

Dear Chairperson Kestell:

On behalf of the Software & Information Industry Association (SIIA) and our member high-tech companies, I submit for the record, and for sharing with your committee members, SIIA's comments on Assembly Bills 618 and 616, being considered today by the Assembly Committee on Education. SIIA appreciates the Committee's goals to protect student privacy, but is concerned that provisions in these bills may inappropriately and unnecessarily inhibit core educational functions necessary to serve Wisconsin's students.

SIIA is the principal trade association for the software and digital content industry. Many SIIA members work with schools and universities in Wisconsin and nationwide to develop and deliver learning software applications, digital content, web services and related technologies. They are helping to support teachers and instruction, personalize learning, carry out various administrative operations, and improve school productivity and educational performance.

#### Student Privacy Protections

Essential to the important use of technology is the collection, use and sharing of student information for educational purposes. The use of student information in schools is nothing new. Our educational system has long collected, managed and applied student and other data to operate and inform educational practices, and has routinely done so by using the services of third-party service providers. From school bus routes to student assessment results and from adaptive learning software to data systems, schools in Wisconsin and across the country have a long history of effectively using information supported by school service providers.

Today, new technology tools and analytical techniques are enhancing that capacity, allowing educators to manage more data in more cost effective and sophisticated ways. As student personal information is used to improve learning, schools and service providers have a shared responsibility to protect the privacy and security of student information. One way they do this is by limiting the collection and uses of student personal information to legitimate educational purposes. They have policies and procedures in place to prevent unauthorized use.

This is not just a matter of good will. Schools (and therefore their providers) are required to do this by the federal Family Educational Rights and Privacy Act (FERPA), which places strict requirements on the transfer of personal student information to outside school service providers. These regulations mandate that the function for which the data is used would otherwise be provided by its own employees, that the provider be under direct control of the school, and that the information can only be used for educational purposes.

Parents have an important role too. If schools and agencies want to share personal student information with third parties for purposes beyond the narrowly defined educational purposes in Federal law, the law requires them to get affirmative parental consent.

Service providers are also bound by contract and are subject to significant penalties for unauthorized disclosure of personal student information. And there's a market incentive for service providers: if they do not live up to their responsibilities, they will lose the confidence of their customers.

School service providers do not have an independent role in the school system. They cannot just use personal student information as they see fit. School service providers work for educational institutions. They collect personal student information only with the explicit approval of the schools and agencies that they work for. They use this information only for the purpose authorized by those educational institutions. Service providers also accept their responsibility to continuously review and improve policies and procedures designed to protect the security, confidentiality and integrity of student information.

#### Assembly Bill 618

SIIA is concerned that Section 13 of Assembly Bill 618 would require parental consent for all uses of personal student information involving the sharing of such information with a "contractor, consultant, volunteer, or any other person to whom the school board has outsourced school services or functions." It does so by excluding such individuals and entities from being treated as a "school district official" as provided under the Federal Family Educational Rights and Privacy Act (FERPA) and included in current Wisconsin statutes. This would apparently include even core educational purposes.

SIIA cautions that this is unrealistic and impractical. Schools need to collect information from students to operate their institutions and to provide services to their students. They must share this information with third-party providers they depend on to carry out many important functions. They cannot possibly do this if they have to gain opt-in consent for all such uses of personal student information. More importantly, a universal opt-in would be unfair — some students would have access to the certain educational resources, while those who do not opt-in could be denied those learning opportunities. In fact, SIIA would share the same concerns were this bill modified to allow for parental opt-out.

SIIA also has questions about the potential impact of Sections 4, 5 and 6 of Assembly Bill 618 regarding the proposed requirement for parental consent for the sharing of personally identifiable student data to a public or private research organization.

#### Assembly Bill 616

SIIA also has questions about the potential impact of Assembly Bill 616, which requires that: "No school board may collect biometric data from a pupil, or use any device or mechanism to assess a pupil's physiological or emotional state, unless the pupil's parent or guardian consents in writing." SIIA notes that biometric data is increasingly used for educational purposes of test security and virtual learning, such as through the use of retina or fingerprint identification. In such cases, the data should be used only for those purposes, and so SIIA recommends consideration of exceptions for such appropriate educational purposes. As noted above, the proposed parental consent requirement could be very disruptive to school operations and pose equity concerns to students. SIIA also notes that data about student's physiological or emotional state may also be necessary and appropriate for educational purposes, such as for students with special needs.

As our education system continues to transform itself, SIIA looks forward to working further with you and the Assembly Education Committee to advance the innovative use of technology and data to improve education, and to continue the use of sound data practices that protect student privacy. Please feel free to contact me at [marks@siaa.net](mailto:marks@siaa.net) or 202-789-4444.

Sincerely,

Mark Schneiderman  
Senior Director of Education Policy

Software & Information Industry Association  
1090 Vermont Avenue, NW, 6<sup>th</sup> Floor  
Washington, DC 20005



**School District of  
West Allis-West Milwaukee, et al.  
EDUCATIONAL ADMINISTRATION CENTER**

January 15, 2014

Dear Assembly Education Committee Members,

On behalf of Kurt Wachholz, the Superintendent of Schools in the West Allis-West Milwaukee School District, I am providing testimony on Assembly Bill 616.

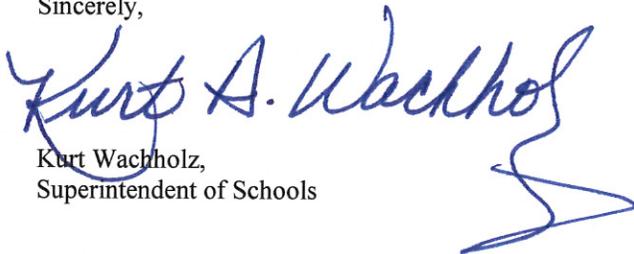
The West Allis-West Milwaukee School District is advocating for a common uniform Student Information System that focuses on the advancement of student data state-wide. We hope that this proposed legislation does not hamper common student data collection in any way.

In addition, the West Allis-West Milwaukee School District has concerns and questions about AB-616 including:

- What is the exact issue this bill is addressing?
- Are schools and Districts actually using biometric data without parent consent?
- Aren't these protections already covered by HIPPA and Student Record Laws?
- How will this bill affect students with special needs who require monitoring of biometric data for their own health and safety?
- Will this bill put into jeopardy some of the efforts of schools and Districts to use things like breathalyzers and alcohol and drug screening for suspected violators?
- Will this bill prevent people like school nurses, physical therapists, occupational therapists, and speech and language clinicians from being able to perform their daily job duties?
- Won't the part of this bill that deals with "emotional state" conflict with current Federal IDEA Childfind laws that require schools and Districts to identify students with disabilities including students with emotional behavior problems?
- Federal and State Governments are encouraging personalized learning. Will this bill prevent students from studying their own biometric processes?
- Will this bill potentially make certain parts of student data unavailable? This creates a concern and may put the needs of our students at risk

Please allow us at the local School Districts to determine how to meet the needs of students and provide the best educational environment possible. Thank you for your attention and consideration of this matter. Please contact my office with any questions.

Sincerely,

  
Kurt Wachholz,  
Superintendent of Schools



## School Administrators Alliance

*Representing the Interests of Wisconsin School Children*

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**TO:** Assembly Committee on Education  
**FROM:** John Forester, Director of Government Relations  
**DATE:** January 15, 2014  
**RE:** Assembly Bill 616 – Collection of Pupil Biometric Data

The SAA opposes Assembly Bill 616, relating to prohibiting the collection of a pupil's biometric data and the use of any device to assess a pupil's physiological or emotional state. In general, the bill appears to be overly broad and lacking definition. My concern is that this lack of clarity will lead to confusion in our schools. The bill also appears to criminalize a variety of tasks currently performed in school districts. Before we empower the attorney general or district attorney to bring an action in circuit court, we really should make crystal clear what is allowed and not allowed under this bill.

AB 616 includes no definition of biometric data. After a few minutes of web research, I found that biometric data refers to any computer data created during certain security, verification or identification processes such as facial recognition, fingerprint identification, retinal scanning, handwriting analysis or voice recognition. Although I know of no SAA members chomping at the bit to utilize these techniques, advances in technology are powering rapid change in these fields. We are concerned the bill fails to provide a thorough definition for biometric data.

Of even greater concern is the language on lines 6 and 7 of the bill which prohibits school boards from using "any device or mechanism to assess a pupil's physiological or emotional state". Again, this language appears to be overly broad. My general question is, "What tasks currently performed by school staff in caring for and educating students would be prohibited by this bill?" For example, would the bill prohibit taking a child's temperature? What about checking a child's blood pressure? What about performing vision and/or hearing tests? Many school districts now conduct body mass indexing to help start children down the path of lifelong health and physical fitness. Would the bill prohibit this practice? We fear this bill could especially impair the abilities of school nurses, counselors, social workers and other staff from effectively serving their students.

Thank you for your consideration of our views. If you have any questions regarding the SAA's position on AB 616, please call me at (608) 242-1370.

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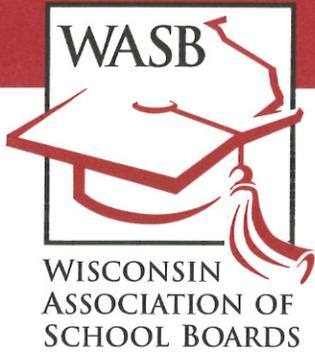
**An Alliance of:**

Association of Wisconsin  
School Administrators

Wisconsin Association of  
School District Administrators

Wisconsin Association of  
School Business Officials

Wisconsin Council for  
Administrators of Special Services



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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Members, Assembly Committee on Education  
FROM: Dan Rossmiller, WASB Government Relations Director  
RE: OPPOSITION to Assembly Bill 616  
DATE: January 15, 2014

The Wisconsin Association of School Boards (WASB) opposes Assembly Bill 616. The bill is badly written, poorly drafted and could do more harm than good.

The basic thrust of the bill is to prohibit the collection of a student's biometric data without written parental consent (permission); however, the bill does not define "biometric data." This could result in great ambiguity and uncertainty about what is prohibited.

Currently, schools routinely conduct routine screenings of students to look for health issues that could affect learning or a child's health and safety. These include vision and hearing screenings and screenings for scoliosis, among other things. As part of efforts to assess and address childhood obesity, schools may also weigh students to determine the student's body mass index (BMI).

As written, the bill also does not indicate whether parents may give blanket consent to multiple types of measurements or screenings or whether a separate written consent (permission) must be granted by a child's parent or guardian for each separate measurement or screening that might result in the collection of "biometric data" about their child.

As worded, the bill prohibits a school board from collecting biometric data (however that is defined) from a pupil, or use any device or mechanism to assess a pupil's physiological or emotional state, unless the pupil's parent or guardian consents in writing. The prohibition on school boards would seem to apply to school board employees such as school nurses, counselors or psychologists. This leaves many unanswered questions:

- Is it the intent of this bill that a school nurse should not be able to use a thermometer to check whether a child has a fever or should not take a blood pressure reading on a child who has fainted, unless the nurse has written permission from the child's parents?
- What about using a glucometer to check a child's blood sugar if the nurse knows or suspects that a student may have diabetes. Would that be prohibited without written parental consent? If so,

this bill could prevent necessary provision of emergency nursing services to students with serious or even life-threatening medical conditions.

- If school officials suspected a child has been drinking, would this bill prevent them from administering a Breathalyzer test unless the school has prior written consent from a child's parents or guardian?
- Would this bill prohibit a school counselor from asking a troubled child to draw a picture in order to help the counselor determine what is troubling the child? Would that be considered a mechanism to assess the child's emotional state?

While the bill, as written, focuses on the collection of data, it seems that what the bill is really intended to do is to prevent the uploading of personally identifiable biometric data to databases that could be accessed by persons outside the school district. However, that is not what the bill says.

Instead, the bill, as drafted, interferes with a wide range of activities schools currently undertake to monitor and safeguard students, including activities schools undertake to safeguard students with chronic health conditions or disabilities. While these limitations can be overcome if written parental consent is received, the bill is unclear about whether consent may be broadly granted or must be specific. If it must be specific, we imagine this will cause no end of issues for school boards and school officials because it may be almost impossible to gauge in advance the scope of circumstances in which parental consent might need to be obtained.

We are also concerned that the authority granted to the attorney general or *any* district attorney to bring an action in circuit court to enforce the bill's prohibition is sweeping. Is it limited to civil actions such as injunctions or can criminal prosecutions result under this bill? Is a district attorney's power to prosecute limited to just the county in which he or she is elected or does it extend to other counties?

If the Legislature is going to prohibit certain actions, it should be clear what is to be prohibited. Further, if the Legislature is going to allow a prohibition to be lifted, it should be clear as to what conditions are necessary to lift the prohibition. This bill, as drafted, does not do that. It raises far more issues than it addresses. For those reasons, and the specific concerns noted above, the WASB opposes Assembly Bill 616.



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**Testimony in Support of Assembly Bill 616  
Assembly Committee on Education  
Julaine K. Appling, WFA President  
January 15, 2014**

Thank you, Chairman Kestell and committee members, for the opportunity to testify today in support of Assembly Bill 616. I am Julaine Appling, president of Wisconsin Family Action, an organization dedicated to strengthening, preserving and promoting marriage, family, life and liberty in The Badger state. Helping to ensure that parents are fully informed and engaged in what happens to their children in Wisconsin schools is extremely important to us.

We want to thank Rep, Tom Larson for introducing this bill that provides a measure of protection for Wisconsin parents and students.

We have long maintained that technology has run ahead of the ethical framework that is necessary to ensure as best we can that technology is appropriately used. Science's "because we can do something we must do it" attitude has repeatedly put us in a position of playing catchup in this critical area of protecting the privacy of citizens.

While I may often lament and regret where we are with technology and its ability to track our every movement, technology is here to stay. It is now incumbent upon lawmakers and citizens to pretty much retroactively put up safeguards and restrictions on how technology is used, especially in our schools where minors are especially vulnerable to privacy invasion because of decisions made by school districts.

Using biometrics technology and data in schools is particularly disturbing. Once again, we are trying to back the train up. We have not done extensive research on this issue, but what research we have done reveals that there is little evidence to support the necessity of using biometrics in schools. We don't see cost or efficiency benefits and even if we did see those, we do not believe they justify the potential misuse of this personal data.

Rep. Larson's bill rightly puts the burden on the schools that choose to use biometrics in that they must have parental permission to do so and also appropriately empowers the attorney general and district attorneys to bring actions against violations. Parental consent is essential because parents are the ones best equipped to make this decision on behalf of their children. \

The only recommendation we would have is that because parents may not understand what biometrics data entails, it may be that the school districts should be required to expressly state in their communications to parents specifically what means of biometrics data collection they are seeking permission to use on students and the reason they are looking to use this method. For example, if they are seeking to collect a student's fingerprint for library or lunchroom use, the parental consent form must specifically state the collection method and the intended use of the data. We believe this would help busy parents make a more informed choice for their children.

We urge this committee to support AB 616 and move it quickly to the full Assembly for a floor vote.

Thank you for your time today.

# Ψ Wisconsin School Psychologists Association, Inc.

Testimony on AB 616

January 15, 2014

Esteemed Legislators:

Thank you for this opportunity to provide comments on AB 616 concerning the prohibition on the collection of pupil biometric data. We are writing on behalf of the Wisconsin School Psychologists Association (WSPA). The primary purposes of WSPA are to serve the mental health and educational needs of all children and youth, and to facilitate and support the effective practice of school psychology. School psychologists are scientists in the field of education. We understand and implement research-based practices that use student-level and system-level data to improve student academic achievement and mental health outcomes. School Psychologists in Wisconsin are required to hold at least an Educational Specialist degree, with over 30 credit hours of Post-Master's Degree and supervised practice.

**School psychologists often rely on the collection of screening data to identify students who are struggling or are at-risk for certain negative outcomes.** For instance, school psychologists, in their role as experts in learning, rely on PALS and other reading screening data to identify children who are at-risk for reading difficulties. Interventions are then provided and monitored for their effectiveness. In the mental health arena, school psychologists may rely on screening for mental illness, bullying, suicide risk, etc to determine the need for prevention programming as well as intervention. Wisconsin has a longstanding problem with youth suicide, and screening for suicide risk is one of the most effective ways for schools to identify students at risk for this critical concern.

**WSPA is opposed to this proposed legislation as it would greatly stymie the efforts of schools to identify and subsequently address with students who are having suicidal or homicidal thoughts, dealing with bullying, or experiencing other serious emotional challenges. Once needs are identified, schools can work with families to establish which concerns the school can potentially address internally and can then help interested families find additional, outside resources to address their child's needs.** We believe school safety is an important public interest and that parental consent is an important interest as well. Parents of children who are experiencing serious emotional distress may, however, be least likely to receive, read and then return active consent for screening for a variety of reasons. Their child may not bring home the permission form, they may not make time to read the consent form, they not be aware of how schools can help, and, in other cases, they may be contributing to the their child's poor functioning (e.g., in cases of abuse). WSPA believes these children's voices should also be heard when screenings are conducted.

The Governor has stated his intent to increase mental health services in the state of Wisconsin and has appropriated funding for community services in mental health. This proposed bill would actually put up barriers for schools wishing to help identify and address mental health needs of pupils.

Thank you again for your time and focus on these important issues.

Sincerely,

John Humphries, NCSP

President-Elect

Legislative Committee Co-Chair

Wisconsin School Psychologists Association

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