



# STUDENT DATA PRIVACY

BROUGHT TO YOU BY EDUTECH AND NDETC

# OBJECTIVES OF THIS PRESENTATION

1. Raise awareness of the importance of protecting student data and privacy
2. Provide an overview of the flow of student data in schools and the state
3. Provide a sample model school policy for protecting student data
4. Provide resources for schools to use for staff training and to inform parents about how student data is collected, used and protected.

# WELCOME

- Who is talking about student data privacy?
  - ✓ Legislators
  - ✓ Parents
  - ✓ Media
  - ✓ State Educational Leaders
  - ✓ Gates Foundation
  - ✓ Department of Education
  - ✓ School Leaders
  - ✓ Teachers

# SCENARIOS

The image features a blue gradient background with white circuit board patterns in the corners. The word "SCENARIOS" is centered in a white, sans-serif font.

# SCENARIO 1

- ✓ Your school board approved directory information for your school that includes student name, grade level, birth date, parent name, address, photo and phone number. Directory information is allowed to be publically shared. Do you need to provide notice about this directory information and are you required to provide an opt out option for students/parents?
- ✓ Schools must provide notice and can decide how to provide the notice. It could be in a special letter or in the student handbook for example. An opt out option is required to be available for parents and should be done in writing.

## SCENARIO 2

- ✓ A teacher keeps a personal file, it could paper or electronic, of notes they have taken on a student during the school year. The notes include dates and behaviors of the student. The student notices the practice and tells their parents. The parents request a copy of the file. Does the information need to be turned over to the parents?
- ✓ No. The notes are known as “sole possession notes” and are not covered by FERPA if they are not part of the student record, are used only by the teacher or school official and are not shared with others.

## SCENARIO 3

- ✓ Under new North Dakota law, what local process is required when sharing data with third party vendors such as an alert system provider or online assessment company?
- ✓ Schools need to adopt or update a policy regarding the protection of student data. The policy must require that permission be obtained from the board before student data is shared with an outside entity. Upon approval from the board, the student data may be shared with the third party vendor.



# ACRONYM ROUND UP



# CIPA

- **Children's Internet Protection Act**

- ✓ **Addresses concerns about children's access to obscene or harmful content over the Internet.**

- ✓ Protection measures include:

- ✓ Obscene, child porn & harmful to minors

- ✓ Schools must certify:

- ✓ Their online policy includes monitoring and they educate minors on appropriate online behavior

# COPPA

- **Children's Online Privacy Protection Act**

- ✓ **Controls data collected from children 13 & under**

- ✓ Requires companies to post a clear privacy policy on their site, provide direct notice to parents and obtain permission before collecting information from children under 13.
    - ✓ O365 accounts are schools owned and approved for students.
    - ✓ Teachers and school officials need to authorize for all educational programs.
    - ✓ NO commercial purposes are allowed with student data.

# PPRA

- **Protection of Pupil Rights Amendment**
  - ✓ **Outlines what information students can be asked on federally funded surveys or evaluations.**
    - ✓ In order to administer surveys, schools must be able to show the survey materials used and get consent.
    - ✓ Consent can be done in one action with back to school forms if known in advance.
    - ✓ Opt out rights exist.
    - ✓ Schools are restricted on what they can share. NDCC allows sharing with NDUS and military recruiters.

# FERPA

- **Family Educational Rights and Privacy Act**

- ✓ **Outlines parent's rights to their child's education record and restricts access and use of that information.**

- ✓ Inspect and review child's record

- ✓ Request corrections or deletions for anything that is inaccurate

- ✓ Consent, or deny, disclosure of some of child's information in certain situations

- ✓ When child turns 18, the rights belong directly to him or her.

- ✓ School directory information is not protected.

- ✓ Exceptions for school transfers, judicial orders, health/safety reasons and others.

# NSLA

- **National School Lunch Act**

- ✓ **Protects free and reduced lunch data.**

- ✓ Stricter than FERPA

- ✓ Strict confidentiality on free and reduced lunch as well as drug and alcohol prevention and treatment services.



# STUDENT DATA PRIVACY AND SECURITY

NDSBA – MODEL/SAMPLE POLICY – TO BE  
CUSTOMIZED BY EACH SCHOOL DISTRICT


# DEFINITIONS

- Directory Information
- Education Record
- Eligible student
- Parent
- Permanent record
- Legitimate educational interest
- Personally Identifiable Information (PII)
- Record
- School official
- FERPA

# DESIGNATION AND RESPONSIBILITIES OF PRIVACY OFFICERS

- Superintendent (or designee) is Chief Privacy Officer
  - Responsibilities
- Designated Privacy Officers
  - Responsibilities

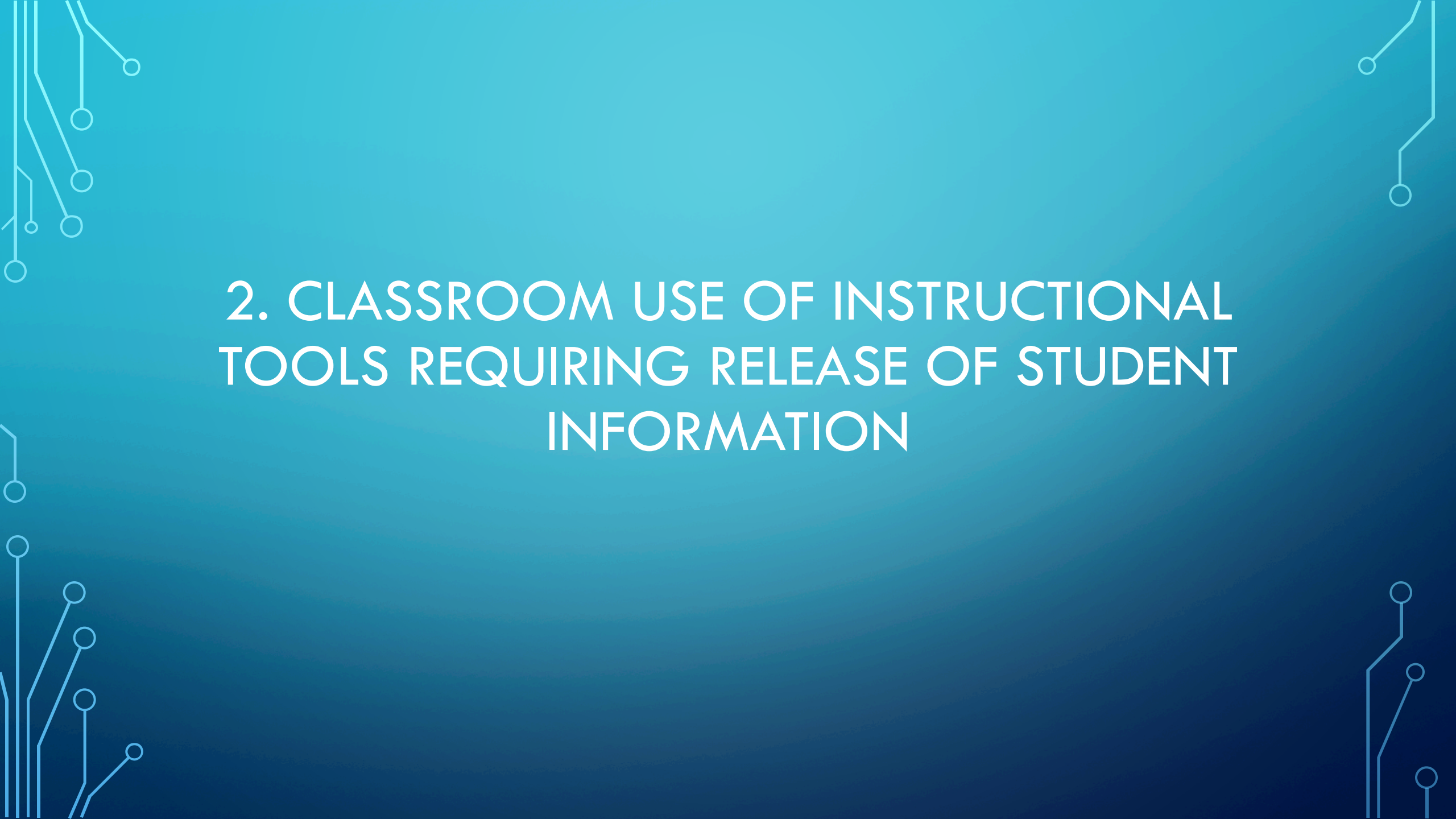


The background is a gradient of blue, transitioning from a lighter shade at the top to a darker shade at the bottom. In the four corners, there are decorative white line-art elements resembling circuit traces or data paths, with small circles at the end of the lines.

# INFORMATION RELEASE SAFEGUARDS

The background is a dark teal gradient. In the corners, there are decorative white line-art elements resembling circuit boards or neural networks, with lines connecting to small circles.


1. Access by Parents and Eligible Students: To ensure compliance with parental and eligible student access under FERPA, the district shall:

The background is a gradient of blue, transitioning from a lighter shade at the top to a darker shade at the bottom. In the four corners, there are decorative white line-art elements that resemble circuit board traces or neural network connections, with small circles at the end of the lines.

## 2. CLASSROOM USE OF INSTRUCTIONAL TOOLS REQUIRING RELEASE OF STUDENT INFORMATION

The background is a gradient of blue shades, from a lighter cyan at the top to a darker blue at the bottom. In the four corners, there are white, stylized circuit board traces with circular nodes, resembling a network or data flow diagram.

# 3. DATA BREACHES

The background is a gradient of blue shades, from a lighter cyan at the top to a darker blue at the bottom. In the four corners, there are white line-art graphics resembling circuit board traces or data paths, with small circles at the end of the lines.

# 4. INFORMATION STORAGE AND DESTRUCTION

The background is a gradient of blue shades, from a lighter cyan at the top to a darker blue at the bottom. In the four corners, there are white, stylized circuit board traces. These traces consist of straight lines that branch out and terminate in small circles, resembling nodes or components on a PCB. The top-left and bottom-left corners have more complex, dense branching patterns, while the top-right and bottom-right corners have simpler, more linear traces.

# 5. DIRECTORY INFORMATION

## 6. PERSONALLY IDENTIFIABLE INFORMATION (PII)

a.-k. Circumstances when parental/eligible student consent is not required to release PII

## 7. WHEN PARENTAL CONSENT IS REQUIRED

a.-c. The district must obtain parental/eligible student consent under certain circumstances.



# 504 PLANS AND INDIVIDUALIZED EDUCATIONAL PROGRAM

Not subject to board approval requirements because the district provides services in fulfillment of requirements under state and federal law.

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# POLICY VIOLATIONS AND TRAINING

Both are important parts of a viable policy and to comply with the law

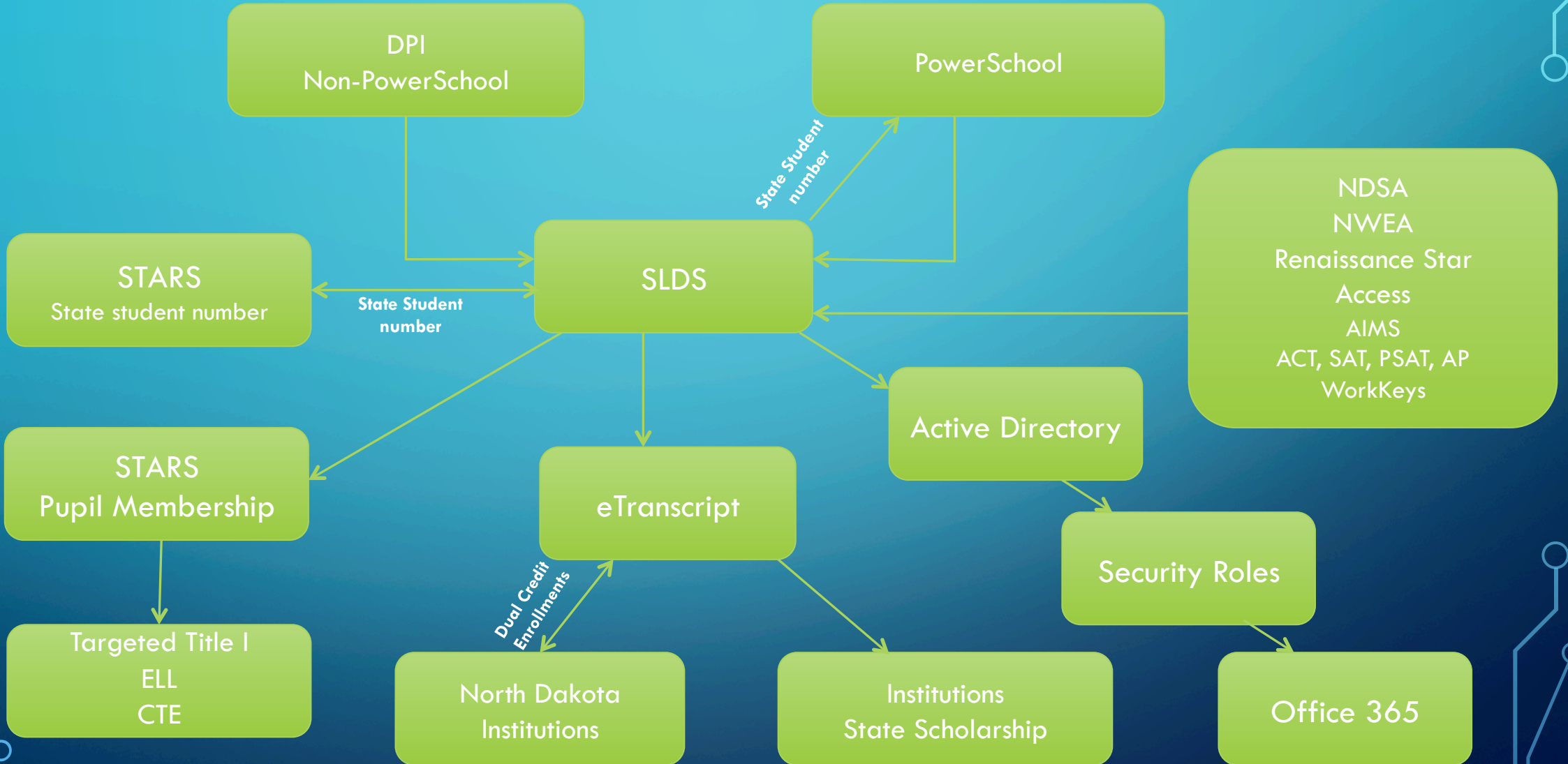
# SUPPORTING DOCUMENTS

- [FGA-BR](#) Student Education Records Access and Amendment Procedure
- [FGA-BR2](#) Criteria for Approving and Denying Directory Information and PII Release Requests
- [FGA-E](#) Notice of Directory Information
- [FGA-E2](#) Model Notice of Rights under FERPA
- [FGA-E3](#) FERPA Release Form for Parents
- [FGA-E4](#) Notice of Executive Session Tape on File
- [FGA-E5](#) Student Information Sharing Request Form
- [FGA-E6](#) Model Form for Disclosure to Parents of Dependent Students
- [FGA-E7](#) School Officials' Guide to FERPA and Data Privacy
- [FGA-E8](#) Parties Approved to Receive Student Data

ALL SUPPORTING DOCUMENTS CAN BE FOUND AT:

- <http://www.edutech.nodak.edu/sdp/sample-documents/>
- <http://www.edutech.nodak.edu/>
- **Banner on our home page**

# STUDENT DATA FLOW



# DATA AGREEMENTS

- DPI

- <http://www.nd.gov/dpi/data/SLDS/Releases>

- NWEA

- DIBELS

- AIMSweb

- Renaissance Star - [support@renaissance.com](mailto:support@renaissance.com)

- SLDS

- SLDS>Data Governance>Guidance for Districts and Schools

- LEA Authorization for Student Level Data

- Template available at: [www.edutech.nodak.edu/sdp](http://www.edutech.nodak.edu/sdp)

# SECURITY ADMIN

- Superintendent or designated individual[s]
- SLDS and eTranscript
  - Yearly process July 15
    - Review individuals and permissions granted
    - Reauthorize individuals
- Will not allow districts to authorize new individuals at this time.
  - An EduTech help desk ticket will need to be submitted

# DISTRICT ACCOUNT ADMIN

- Building Facilitator or Tech Director
- Office 365
  - Yearly process starting in Fall 2016
    - Reauthorization of non auto users
      - My Admin
  - Non auto user
    - Admin Assistants
    - Para Professionals



# STAFF DEPARTURE CHECKLIST

- In Application

- PowerSchool - No longer Active (staff)
  - Office 365
    - Auto Users - Staff with teacher license number
- STARS

- In Security App. by District Security Admin

- SLDS
- eTranscript

- In My Admin Security App. by Building facilitator or Tech Director

- Office 365
  - Non Auto Users - Admin Assistants

- Third party applications

- ViewPoint
- Alert Solutions
- Blackboard Connect/Alert Now
- ParentLink
- Honeywell/Edline/Instant Alert
- Others

- Change shared passwords

- NWEA
- STARS

# IN CONCLUSION

1. Importance of protecting student data and privacy
2. Overview of the flow of student data in schools and the state
3. Sample model school policy for protecting student data
4. Resources for staff training and to inform parents about how student data is collected, used and protected.

**EDUTECH**  
education technology services



## Contact EduTech Help Desk

[www.edutech.nodak.edu/help](http://www.edutech.nodak.edu/help)

800.774.1091 • 701.451.7400

[help@k12.nd.us](mailto:help@k12.nd.us)

**EDUTECH**  
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## Student Data Privacy Resources

[www.edutech.nodak.edu/sdp](http://www.edutech.nodak.edu/sdp) • #sdp

[www.nd.gov/dpi/data/SLDS/Releases](http://www.nd.gov/dpi/data/SLDS/Releases)  
[bitly.com/stardataslds](http://bitly.com/stardataslds)



QUESTIONS?



THANK YOU!