



Transparency Best Practices and Lessons Learned

Ross Lemke

Privacy Technical Assistance Center





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Audience Activity

- Open up a browser window and go to your district or agency website
 - Search for "Privacy"
 - Search for "FERPA"
- What did you find?
- Imagine if you were a parent or an eligible student with questions, how would you feel?
- We will come back to this



Why is Transparency Important?

- Schools today are collecting, using and moving more data today than ever before
- At the school and district level there are elements of transparency that an agency must do.
- The prospect of children's data going into a large statewide system can seem scary
- In the absence of knowing what is going on with that data, some stakeholders will assume the worst



What do Agencies Have to do?

- FERPA has notification requirements. These are things a district or IHE must do.
 - Annual Notification of FERPA Rights
 - Directory Information
 - Seeks or intends to enroll disclosures
 - PPRA Notification (For K12)
- Requirements are broad. Adopting transparency in communication and publication can increase trust / communication with the school community. (Adopting best practices are things a district can do.)



Notification Requirements

FERPA requires that schools provide notification to parents and eligible students of the following:

- Rights and procedures to **Access** education records
- Right to **Consent** to disclosures
- Right to seek **Amendment** and process for doing so.
- Right to **file a complaint**
- Definition of 'School Official' and 'Legitimate Educational **Interest**' (if disclosing information under the School Officials Exception)





Notification Requirements

FERPA also requires that schools provide notification to parents and eligible students of the following:

- Directory Information Policy including
 - Types of information designated as directory information.
 - Information on how to opt out of the disclosure of directory information.



Reasonability # Transparency

 34CFR §99.7 (3)(b) states "An educational agency or institution may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights."

 How an agency provides notification is up to them!

United States Department of Education, Student Privacy Policy Office



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Best practice recommendations for improving transparency

These recommendations can be divided into three main categories:

- 1. What information to communicate to stakeholders.
- 2. How to convey that information.
- How to respond to parent or student inquiries about student data policies and practices.



Information to communicate to stakeholders

- As a best practice stakeholders should be provided with the following information about your institution's data practices:
 - What information are they collecting about students?
 - Why?
 - How is the information protected?
 - With whom is that information being shared?



What information are institutions collecting about students?

Best practice: know exactly what data you have.

REMEMBER: The first step in protecting sensitive information is knowing what information you have. If you cannot provide a good reason for why you are collecting a particular data element, you may want to reconsider collecting it.



Why are the institutions collecting this information?

 Best practice: know why you've got what you've got!

REMEMBER: The volume of information being collected by any agency can be daunting. Consider providing rationale for why the data is being collected, whether it is to provide essential school services, improve instruction or to comply with federal law.



How is the information protected?

- Best practice recommendations:
 - Have justification for institution's IT security and data protection policies
 - Have policies governing the use of student data at the local and state agency level
 - Explain your data retention policies.
 - If you publish aggregate data, explain the privacy protections to protect against disclosure of student's PII in small cells.
 - **REMEMBER:** It is important to regularly train your staff on these IT and data protection policies.



What information is shared with third parties and/or external researchers?

Sharing with researchers:

- Show parents and students the research findings.
- Identify any changes to curriculum, policies, or programs as a result.
 - REMEMBER: Let parents and students know the reasons you are sharing student data with a third party and explain the legal, contractual, and policy protections in place to safeguard the data.



Highlight your Successes

- Show the value of the data that you are entrusted with
- If you have made a meaningful change to how you educate your children as a result of data – Tell the World



Communicating with stakeholders and the public

 When communicating with parents, eligible students and the public about the institution's data practices, consider the following best practices to improve accessibility and clarity of the messages...



- Use your website as part of a multi-layered approach to communication.
 - ✓ Match the sophistication of the message to the medium.



- Make your website user-friendly, searchable, and easy to navigate.
 - ✓ Consolidate information about data practices and privacy protections.
 - Clearly label the data practices/student privacy section and ensure that users can quickly navigate to it from the homepage with just one or two mouse clicks.
 - ✓ Add a "Search" tool to your website. And TEST it to make sure it works properly!



- Be clear and consistent.
 - ✓ Use plain language whenever possible.
 - Provide examples to illustrate complex concepts or ideas.
 - ✓ Include a glossary.
 - ✓ Make sure that your website's data practices section is accessible to persons with disabilities.
 - ✓ Translate information on your website into other languages commonly spoken in your community.
 - ✓ Maintain consistency across communication mediums.



- Have members of the community regularly review websites for usability, comprehension, and completeness.
 - ✓ Follow up with stakeholder to ensure the site is user-friendly.
 - ✓ Solicit feedback from stakeholders on recommended improvements to the website
 - ✓ Engaging stakeholders provides public transparency and can help you make data-driven decisions



Recommendations for Responding to Parent Inquiries

Sometimes parents or students will contact you wanting additional information

- The Department of Education encourages schools and districts to handle parental and student inquiries about data privacy in a responsive and meaningful fashion
- The best practices include...



Recommendations for Responding to Parent Inquiries (cont'd)

- Keep the lines of communication open
- Review parental inquiries, concerns, and suggestions in a thoughtful and careful manner
- Respond to parental or student inquiries in a timely manner
- Periodically review old inquiries and resolutions to evaluate your communication and transparency efforts



Back to your website...

- Can you locate information on data privacy?
- Is the information presented in a clear, concise and consistent manner?
- Does the information address who has access to the data and for what purposes?
- Contact information is there an email address and/or phone number if the public/parents/students want more information on these data systems or their rights?



LEA Website Student Privacy Transparency Reviews



ED Strategic Objective 3

Strengthen the quality, accessibility and use of education data through better management, increased privacy protections and transparency.

Strategic Objective 3.2

- Improve privacy protections for, and <u>transparency of</u>, education data both at the Department and in the education community.
 - Review a representative sample of Local Educational Agency websites for the transparency of their data practices and compliance with federal privacy laws when contracting with third party vendors.



Objectives

- ✓Inform ED/SPPO staff of the current state of privacy and transparency relating to data practices across the country.
 - ✓ Better ED prioritization of guidance and TA.
- ✓ Provide concrete feedback to each LEA in the sample to help LEAs improve data privacy and transparency practices.
- ✓Yearly public reports that allow education agency officials to address privacy and transparency within their jurisdictions.
 - ✓ No LEAs will be identified in our public reports.



Sampling Plan

- 5-year study, with Year 1 as a planning year
- Annual snapshot of LEA websites for Year 2-Year 5
 - observations of LEA best practices in providing information on federal student privacy law
- Each year of the report will be nationally representative
- Final trend analysis will examine changes over the four years of the study



Data collection

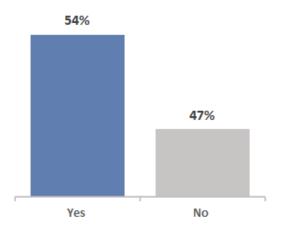
- Look at LEA website from the perspective of a moderately informed parent
- Examine data only on the <u>LEA</u> website
 - Not school websites
 - Not "board docs" or school board policies





 Does the LEA post its annual notification on the website?

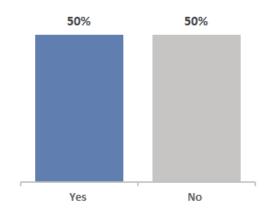
> **Percentage of LEAs with Annual Notice on the Website**





 Does the LEA post its directory information policy on the website?

Topic: Directory Information

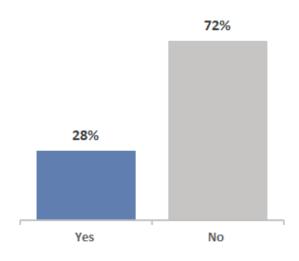






 Does the LEA post its PPRA policy on the website?

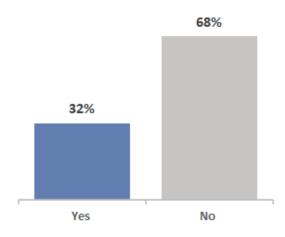
Topic: PPRA





 How many LEAs have a description of data sharing policies posted on their websites?

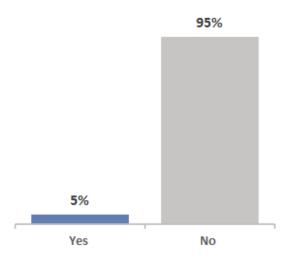
Topic: Data Sharing





 Does the LEA website list contact information if parents have questions/comments/suggestions about district data sharing and student privacy policies?

Topic: Communications





Take-Aways

- LEA websites are underutilized for transmitting student privacy information
- FERPA and privacy may not be at the top of districts' list of priorities

 Parents may not be aware of district contact information or where to go to ask questions about privacy



Recommendations

1. Ensure your LEA website includes key student privacy documents and information about the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA), as opposed to on individual school, board of education, or other websites.



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Recommendations

- 3. Ensure that key privacy terms in the web site's search tool on takes the user to relevant privacy information. Develop search capabilities by use case for those seeking student privacy information, and consider use case examples, such as:
 - 1. I want to find out my FERPA rights
 - 2. I want to know what information is released as directory information
 - 3. I want to opt out of directory information



Recommendations

4. Consider including slang and misspellings in your search engine indexing, as well as languages common in your community.



Recommendations

5. Regularly check your website to ensure it is current. LEA websites are a general source of information for your community on a variety of topics from sports schedules to snow days to permission slips. Update policies as they change, ensure links aren't broken, and remove outdated information.



Ames Community Schools, IA







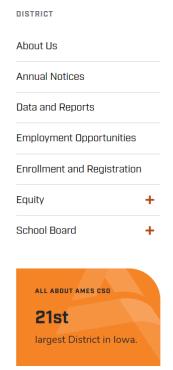
HOME • DISTRICT • ANNUAL NOTICES

Annual Notices

State and Federal regulations, as well as some district policies, require us to post annually certain notifications to the public. Many of these notifications are distributed several ways, including print. We also provide a number of the common notifications here.

District Information and Educational Policies

+	School Entrance Age
+	Open Enrollment
+	School Hours
+	Visits to School







Ames Community Schools, IA







Student Rights and Privacy

- + Notification Regarding The Family Educational Rights and Privacy Act
- + Release of Student Directory Information and Photographs
- lowa Eligibility Privacy Act Statement
- + Student Exercise of Free Expression
- Inspections and Searches
- + PPRA
- + Homeless Students





Ames Community Schools, IA







Student Rights and Privacy

Notification Regarding The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) gives parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1) The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend a record should write the school official clearly identify the part of the record they want changed, and specify







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FCPS Digital Tools

Many of the learning activities, educational programs, and services that FCPS teachers use with students involve interactive websites that require a student login. These "Digital Tools" are thoroughly reviewed by our curriculum, technology and student our peams for approval for student use and for compliance with all federal and state atudent data privacy laws.

Core Digital Tools

Core Digital Tools are the digital tools that CPS has purchased to deliver essential educational services to our students. Examples of these digital tools include G Suite for Education, Schoology, and Naviance. Student accounts are generally created at the district fixel using the students' FCPS login credentials (single sign on). Student use of these are Digital Tools in paired as a part of the academic programs specific to student grade levels.

View the FCPS Core Digital Tools*

Supplementary Digital Tools

Supplementary Digital Tools are the digital tools that FCPS has authorized teachers to use with students to enrich their educational experience. Examples of these digital tools are Desmos, Padlet, Quizlet, and SketchUp. Student accounts are generally created by the teacher or the student, depending on the grade level and the digital tool. Parents have the opportunity to "opt out" of their children's use of these Supplementary Digital Tools and ask teachers to provide alternatives for their children.

View the FCPS Supplemental Digital Tools*

*These digital tools lists are updated periodically as new digital tools are purchased or authorized for student use.

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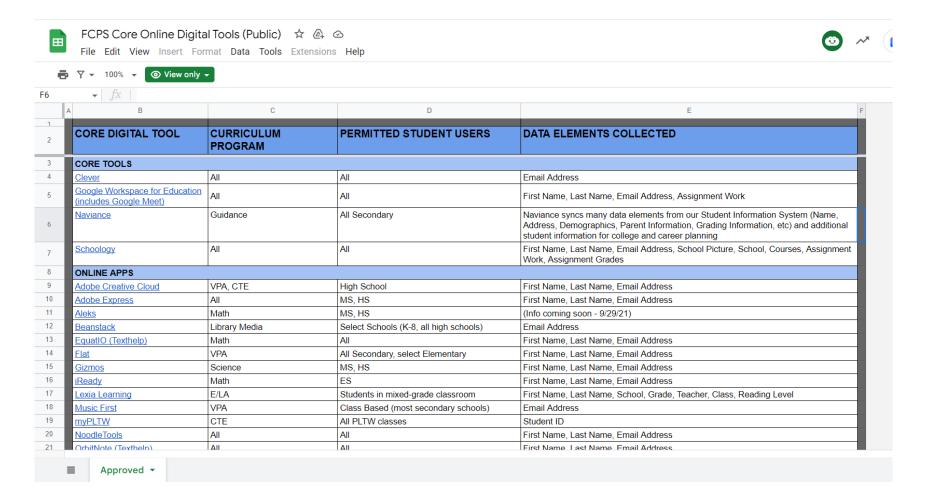
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FCPS Health Connections

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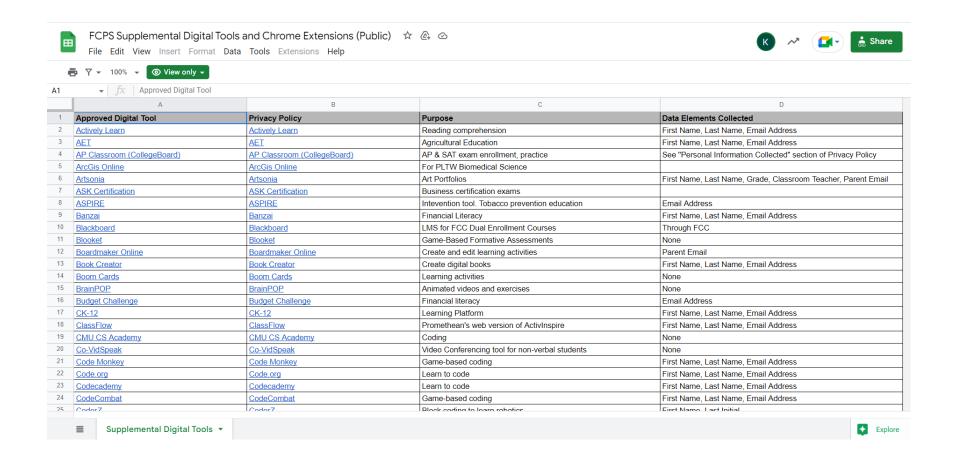
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MEDIA INQUIRIES Kelli Mayhew, Marketing & Communications communications@gips.org 308-385-5900 ex. 201227 **FOLLOW GIPS**









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sex or gender, sexual orientation, marital stus or age in its programs and activities and provides equal access to the Boy Scouts. The following persons have been designated to

londiscrimination: The Grand Island Public Schools does not discriminate on the basis of race, color, religion, national origin, ethnicity,

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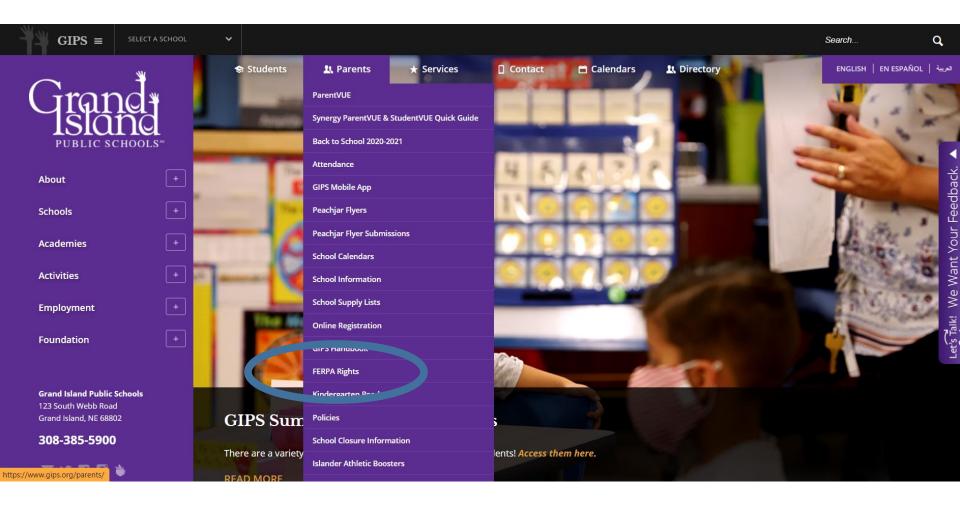
Kneale Administration Building 123 South Webb Road • Box 4904 Grand Island, NE 68802-4904

308-385-5900

Annual Notice of FERPA Rights | Notice











⊘ QUICK LINKS



Enhancing opportunities by seeking and securing resources for projects, scholarships and programs.

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Annual Notification of FERPA Rights

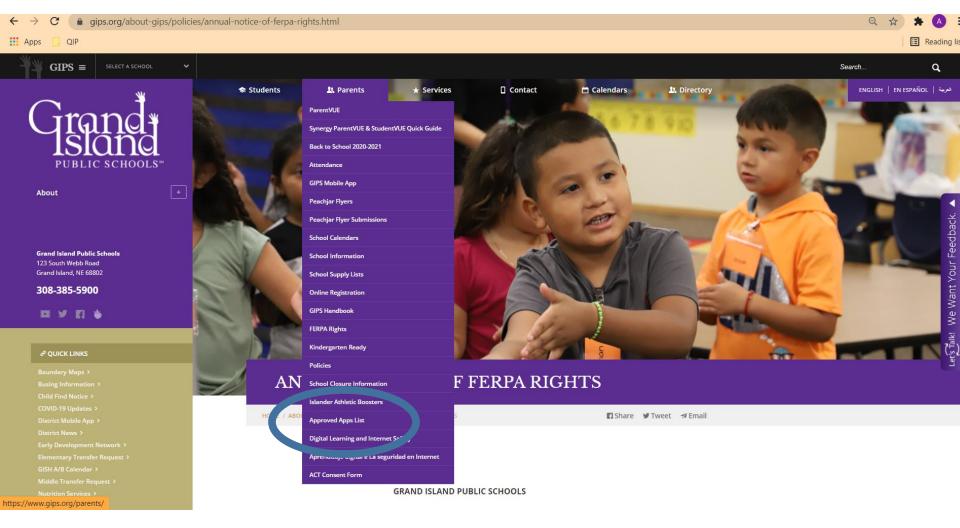
Grand Island Public Schools (GIPS) recognizes the importance of maintaining student records and preserving confidentiality. Confidentiality of personally identifiable information in educational records shall be maintained in accordance with the Family Educational Rights and Privacy Act ("FERPA")(20 U.S.C. § 1232g; 34 CFR Part 99), state law, and district policies. FERPA is a Federal law that protects the privacy of student education records.

FERPA gives parents and legal guardians certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

RIGHT TO INSPECT AND REVIEW. Parents, legal guardians or eligible students have the right to inspect and review the student's education records maintained by the school within 45 days after

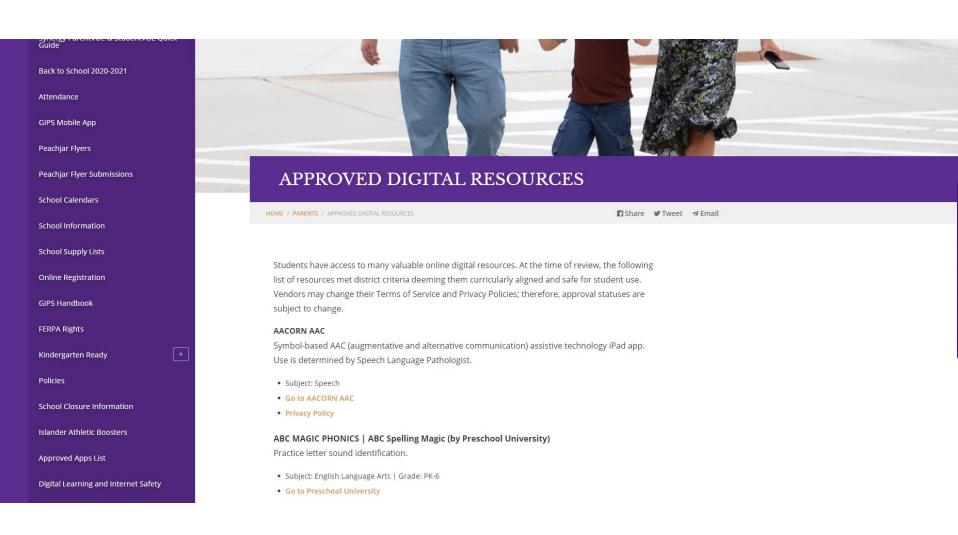
















Contact information

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