

Student Data Privacy FERPA



Teaching In A Digital Environment

- A digital environment opens up opportunities for both positive and negative aspects of data collection and sharing.
- To protect children, three federal laws govern the collection, use, and sharing of personal information. In an educational setting, this includes information contained in educational records, surveys, and the student data collected by websites, online services, and mobile apps.
- Understanding what data can be shared, with whom and for what purposes, is a critical aspect of teaching in the digital age.



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Student Data Privacy Laws

- Family Educational Rights and Privacy Act (FERPA)
- Minnesota Government Data Practices Act (MGDPA)



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Family Educational Rights & Privacy Act

FERPA

- Primary Purpose:
 - Gives parents access to information about their students
- Secondary Purpose:
 - To protect student and parent privacy

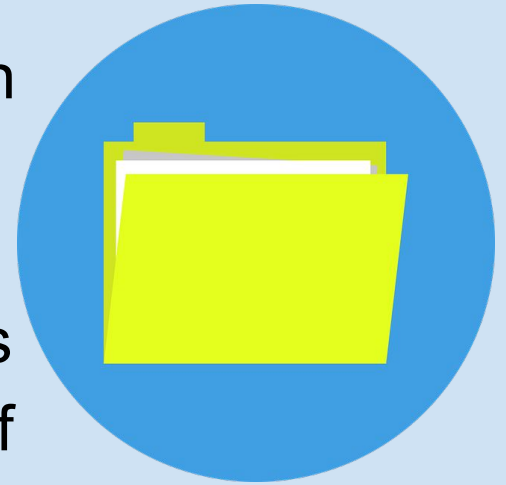


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FERPA

The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents the right to:

- have access to their children's education records
- request to have the records amended
- request copies of their children's records
- have some control over the disclosure of personally identifiable information from the education records





FERPA

- Education records are records directly related to a student AND maintained by an educational agency.
- Education records include but are not limited to:
 - Grades, transcripts, class lists, student course schedules, health records (at the k-12 level), student financial and student discipline files.
- The information may be recorded in any way, including but not limited to:
 - Handwriting, print, computer media, videotape, audiotape, film, microfilm, microfiche, and email.



FERPA

- FERPA permits an educational agency or institution to disclose, without consent, personally identifiable information from students' education records only to school officials within the educational agency or institution that the educational agency or institution has determined to have legitimate educational interests.
- Generally, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Some Student Information Is Public

- In SPPS, directory information is: Name, birth date, grade, school, dates of enrollments, awards, and extra-curricular information.
- SPPS also allows the information in the chart to be directory information only for these designated officials:

| | Address | Home Phone | Student ID Number | Student MARSS (State) ID Number | Student Gender | Student Email | Parent/Guardian Name | Class Schedule |
|---|---------|------------|-------------------|---------------------------------|----------------|---------------|----------------------|----------------|
| Military Recruiters (For Secondary Students Only) | X | X | | | | | | |
| Minnesota Public Libraries | X | X | X | | | X | | |
| School Resource Officers | X | X | | | | | X | X |
| Metro Transit | | | X | | | | | |
| Minnesota Office of Higher Education (OHE) | | | | X | X | | | |

Who Can Access Educational Data?

- Parent or guardian of dependent student
- Student who is the subject of data
- School officials, including teachers with a “legitimate educational interest”



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Best Practices

- Student data should only be shared with SPPS staff who need to know the information for legitimate educational purposes. Parents sign consent forms for sharing information with other agencies.
- Student records or data must be secured, and should not be left in an easily accessible location or open on a computer.
- Students should not record scores or grades of other students.

