

FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

A Law to Know

- Protects the privacy of student level educational data
- Applicable to all schools receiving DOE funds
- **Data Transmittal Done Correctly**
 - Safeguard information as legally and ethically bound
 - Compliance with state and federal laws
 - Ability to use/share data as required by professional duties
- **What is Identifiable Data?**
 - Data transparent enough to allow an identity to be distinguished or traced
 - Examples: Student Name, Family Member Name(s), Address, DOB, Student ID
 - A combination of information that provides a link to a student
 - Test Question: Can a Reasonable Person in the school community identify the student?
- **What is Identifiable Data?**
 - Data transparent enough to allow an identity to be distinguished or traced
 - Examples: Student Name, Family Member Name(s), Address, DOB, Student ID
 - A combination of information that provides a link to a student
 - Test Question: Can a Reasonable Person in the school community identify the student?
- **Secure Data Transmission Methods**
 - Encrypted Files
 - Password Protected Files
 - Emailed Password Protected/Encrypted Files
 - Secure FTP Servers
 - Data must be secure enough to prevent identification during the transportation process
- **Secure Data Transmission Method Considerations**
 - Password Protected Transmission should be used only if Encryption is not available
 - Passwords delivered through another medium than the data (excluding voicemail)
 - Aggregated Data based on a small data population may be identifiable
- **Non-Secure Data Transmission Methods**
 - Fax
 - Email without Encryption/Password Protection
 - Data Sharing Services such as Dropbox, Google Docs, Listserv
- **FAQs**
 - When can Student IDs be transmitted?
 - A list of student ids can be delivered non-securely if no other identifying information accompanies the list unless the data fails the Reasonable Person Test Question.
 - Are emails from PowerSchool/Home Base secure?
 - Since PowerSchool/ Home Base are configured to work with email systems, use of email security methods are recommended.