



*Using Data
to Improve
Student
Achievement*

Safeguarding Data to Ensure Effective Data Use

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The Goal: Deliver Value to Educators



Source: [Ms. Bullen's Data-Rich Year](#)

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The Goal: Deliver Value to Families



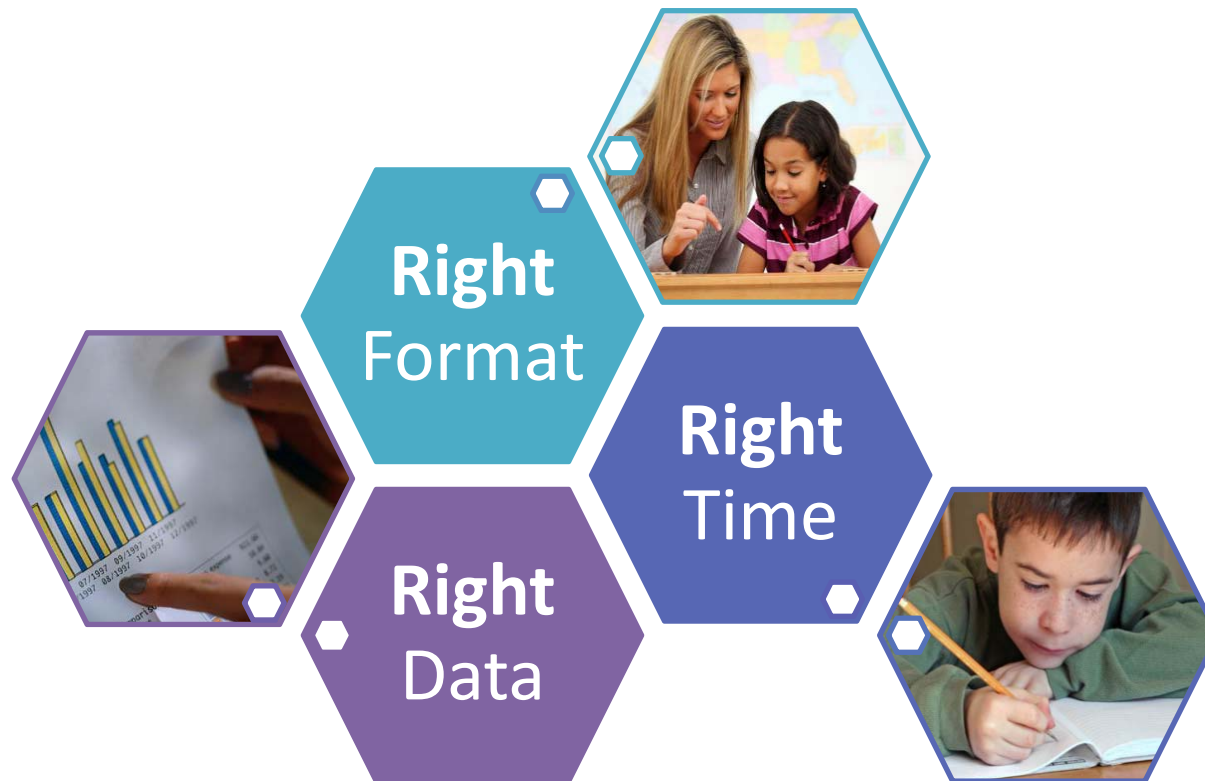
Q: Is my child on track to graduate college and career ready?

A: I don't know. The box isn't telling.

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The Task: Support Data Use & Protect Privacy



Ensure privacy, security, and confidentiality of student data throughout.

State Legislation Driving Data Use

- [SB275](#) created MD's P20/w data governing board
- [SB83](#) created the Kentucky Center for Education and Workforce Statistics
- [HB605](#) directs IL to develop CCR report cards
- [SB82](#) created cloud-based student data backpacks in UT



The Family Educational Rights and Privacy Act (FERPA)

- » Protects student privacy by limiting the disclosure of student records by educational agencies and institutions that receive funds from the U.S. Department of Education.

An Evolution: Collecting, Storing, & Securing Data

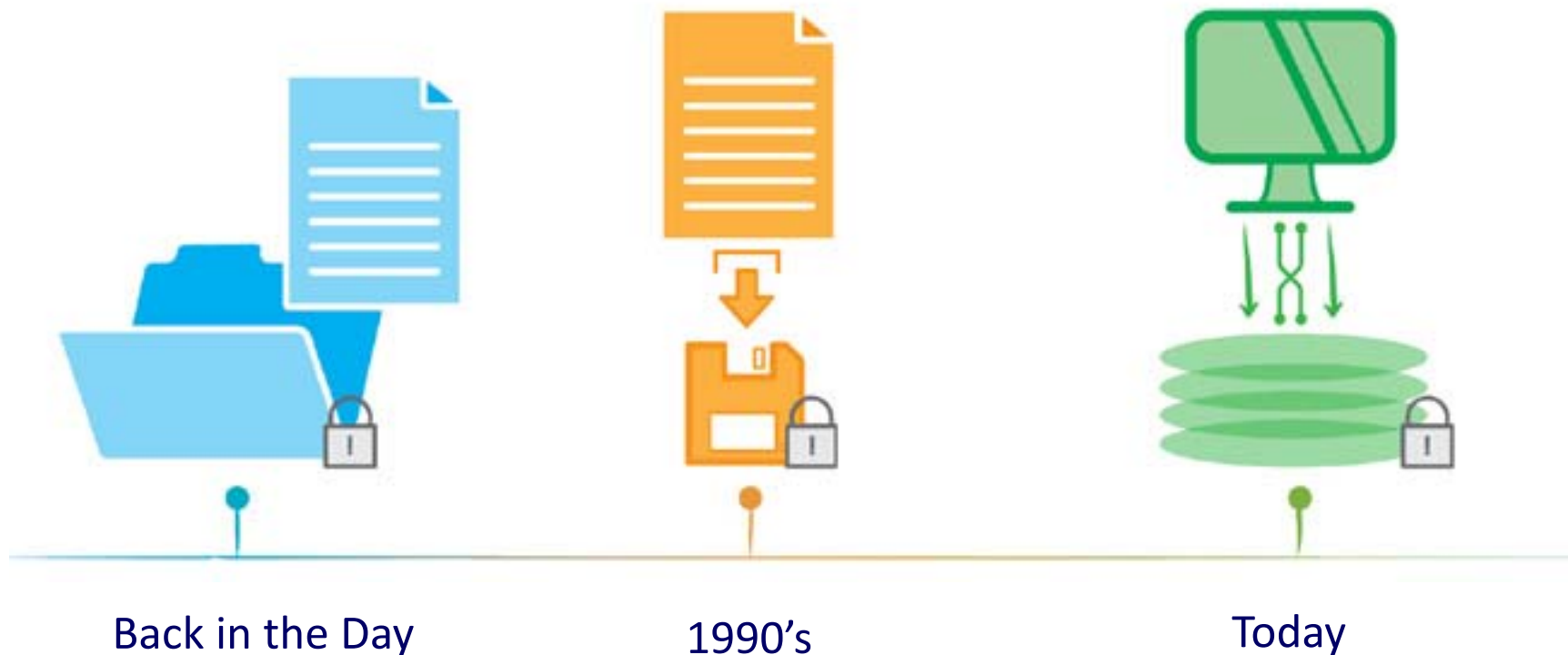


Image Source: *Louisiana State Board of Elementary and Secondary Education*

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The Family Educational Rights and Privacy Act

The FERPA of 1974 and today

Protects student privacy by limiting the disclosure of student records.

- » Describes how and under what circumstances individual student records can be shared.
- » Specific activities vital to education improvement are allowed.

Regulations of 2008 and 2011

The 2008 and 2011 regulations were direct responses to state requests for clarification.

- » They did not alter the permissible disclosures, but clarified the role of the state in acting on behalf of districts.
- » They were accompanied by provisions designed to provide for fuller enforcement (including the creation of a CPO).



Greater Awareness around Data Access and Use are Driving Conversations about Purpose and Privacy

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- » We've seen a number of myths and fears arise about education data, particularly around...
 - » The scope and type of student data collected and the privacy of those data
 - » Who is collecting and accessing student data
 - » The role of 3rd party service providers
 - » Massive data breaches
 - » No one is in charge or the work is done in secret



» Emerging concerns reflect a broadening of the privacy conversation

» Teachers and schools are using cloud based and other free tools; how can we be sure the data is secure and who is accountable (e.g., Google Docs)?

» When children use school-sanctioned social networking or communication tools, how is that data used and what rights do parents have (e.g., Edmodo)?



With these symptoms, the diagnosis is clear...

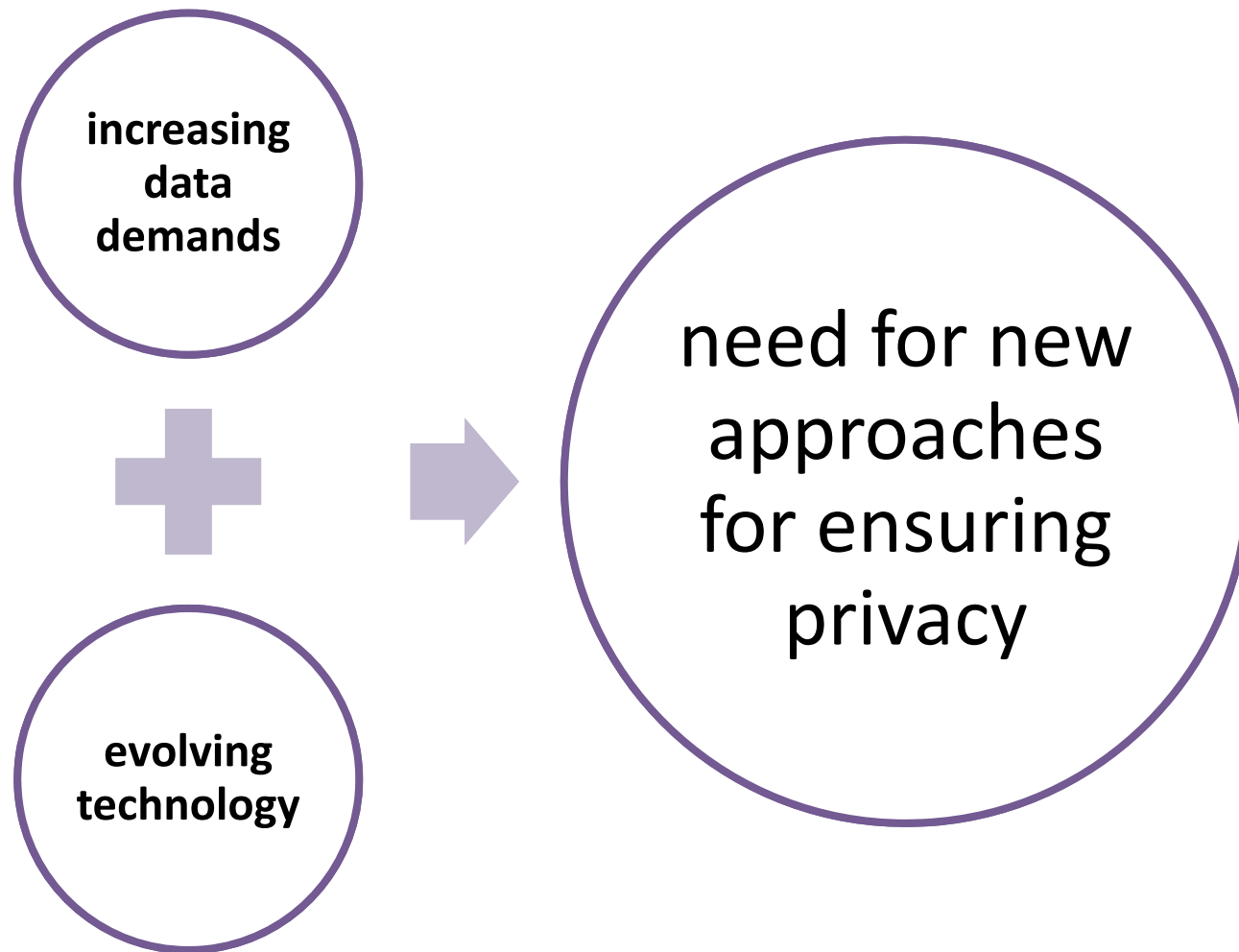
Lack of communication with parents and the public around the value of data and the systems in place to protect privacy.

Information needs and technology are evolving faster than our state policies.

We are not well-versed in *talking* (i.e., too much legal jargon) about privacy, security, and confidentiality.

Lack of understanding how to address the personal nature of privacy and build trust.

The Reality: Changes are Necessary





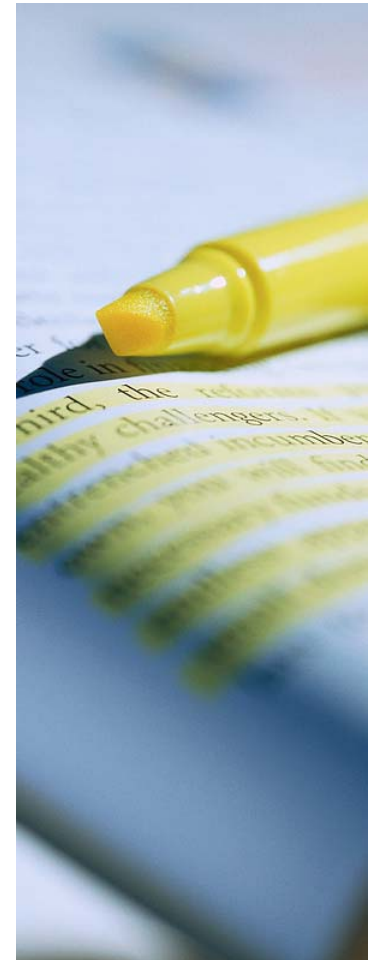
The Next Step: Strengthen Communications & Privacy Policies

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States Must:

- » Ensure parents and educators find value in the data that is collected and understand the “who, what, where, and when” of data collection and use.
- » Communicate with stakeholders, at every opportunity, to dispel myths and clarify the value of data to teaching, learning, and decision making.
- » Promote, enact and continuously review and update privacy, security, and confidentiality policies that are proactive and constructive rather than prohibitive.



State Legislation: Considerations

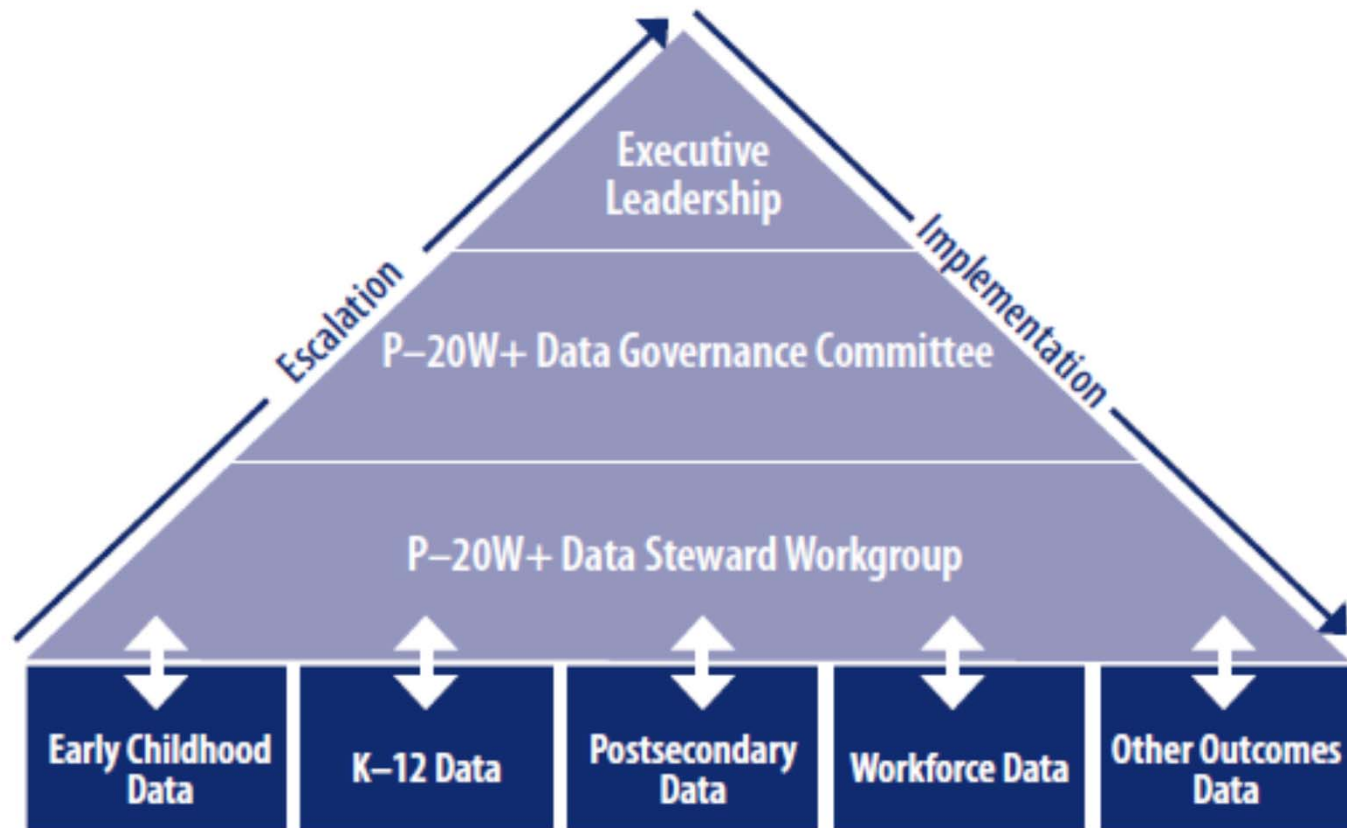
If your state is looking to enact privacy legislation this session, [consider](#):

- » Ensuring that data governance is the primary component (see [OK HB1989](#))
- » Broadening beyond K-12 to include P20/workforce data governance (see [MD SB275](#) and [KY SB83](#))
- » Supporting your schools and districts with privacy training for educators and model privacy/security policies (see [NY SB6007](#))
- » Establishing a Chief Privacy Officer (see [TN SB1470](#))
- » Introducing/strengthening civil penalties (see NY SB6007)



Transparency, governance, and accountability are key to success!

P20W Data Governance



State Privacy Legislation in 2014

- » 41 bills from 21 states
 - » Many more in draft stage
- » 20 bills have taken a prohibitive approach
 - » [NH HB 1586](#): Prevents predictive analytics
 - » [MS SB 2737](#): Defunds the SLDS
- » 11 bills have taken a governance/transparency/accountability approach
 - » [TN SB 1470](#): Requires a public data inventory and a comprehensive privacy policy
 - » [WV HB 4316](#): Describes state, district, and school privacy responsibilities and establishes data sharing governance
- » The approaches are not mutually exclusive

Your Role in Getting There

- » Develop your state's policy questions
- » Ensure your state's data system is aligned to your state's policy objectives
- » Ensure data governance and privacy policies are established and implemented
- » Ensure stakeholders have actionable information and the skills to use it effectively and ethically
- » Communicate, communicate, communicate!



Key DQC Resources

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Why Data Matter

- [Interactive guide to data](#): a succinct infographic tool explaining what data are, how they help, and what various stakeholders (parents, teachers, etc.) can do with them
- [DQC's Annual Report](#): information from the *Data for Action* survey on how states are using data and what they must do to improve
- [Communicating Data toolkit](#): language and tools to help you better talk to peers, press, and the public about data and meeting education goals
- [What Every Parent Should Be Asking about Education Data and Privacy](#): created with the National PTA, offers parents critical questions they should be asking their children's educators about the value of education data and how student privacy is ensured

Debunking Data Myths

- [Myth Busters: Getting the Facts Straight about Education Data](#): addresses myths related to data and Common Core, vendors and corporations, and what the federal government collects
- [Talking about the Facts of Education Data with Policymakers](#): addresses critical questions for policymakers on myths around the federal role in data, selling data, and what is collected

Protecting Data

- [Safeguarding Data](#): Strategies state policymakers can pursue to support effective data use
- [Privacy, Security, and Confidentiality](#): DQC's action issue page with information on how states can safeguard data and many additional resources
- [Supporting Data Use While Protecting the Privacy, Security and Confidentiality of Student Information](#): a primer for state policymakers
- [Complying with FERPA and Other Federal Privacy and Security Laws and Maximizing Appropriate Data Use](#)

Contact Information

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