



Student Data Privacy for BWRSD Staff

Tom Driscoll
Rose Muller



Be aware that school email is archived according to law and can be subpoenaed and included in a FOIA request.

Use strong passwords for ALL services and systems that contain student data and information.

Be aware that it is a parent's right to view any data or information regarding their child.

How can all staff protect student data?

Be careful not to enter student information into an app/online service unless you know it has been approved.

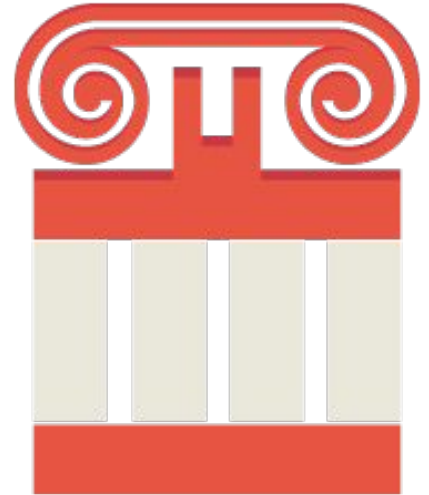
Lock computer and device screens before walking away or leaving device.

Do not leave student information out in the open where it can be viewed by others.

Applicable Laws-Particularly in the Digital Age

FERPA – Information in a student’s education record is governed by the **F**amily **E**ducational **R**ights and **P**rivacy **A**ct, a federal law enacted in 1974 that guarantees that parents have access to their child’s education record and restricts who can access and use student information.

FERPA protects the access to and sharing of a student’s education record, which is all information directly related to a particular student as part of his or her education. **FERPA** gives parents specific rights to their child’s education records and when a child turns 18, the rights belong directly to him or her.

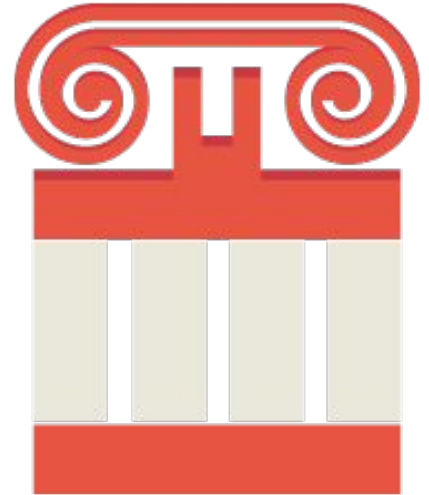


Applicable Laws-Particularly in the Digital Age

COPPA – The **C**hildren’s **O**nline **P**rivacy **P**rotection **A**ct - controls what information is collected from young children by companies operating websites, games, and mobile applications directed toward children **under 13**.

COPPA requires companies to have a privacy policy, provide direct notice to parents, and obtain parental consent before collecting information from children under 13.

Teachers and school officials are authorized to provide consent on behalf of parents for use of an educational program, but **only** for use in the educational context. Many schools have practices and policies that require school administrator approval before teachers can allow use of certain apps/services to ensure **COPPA** compliance.

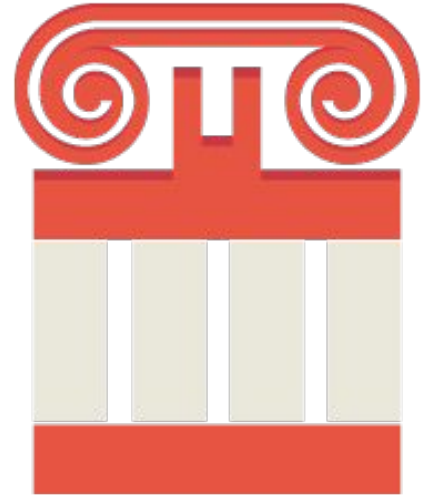


Applicable Laws-Particularly in the Digital Age

PPRA – The **P**rotection of **P**upil **R**ights **A**menendment outlines restrictions for the process when students might be asked for information as part of federally funded surveys or evaluations.

For example, surveys may be used to better understand the effects on students of drug and alcohol use, or sexual conduct or to seek to understand the impact on students with family backgrounds that include violence, or variations in home life such as family makeup or income levels.

In order to administer such surveys, schools must be able to show parents any of the survey materials used, and provide parents with choices for any surveys that deal with certain sensitive categories.



Why is student data privacy important?

Staff and teachers must comply with **FERPA**, **COPPA** and **PPRA**.

Technology tools provide more people with greater access to student data and information.

Students are using a wide variety of online tools and services, some that store data off school premises “in the cloud”

Care needs to be taken regarding student data that is provided to vendors by teachers and students themselves.



Why is student data privacy important?

It is quick and easy for a staff member to “Agree” to the Terms of Service of an online app or service without necessarily knowing the full ramifications to student privacy.

Staff members are entering into a contract on behalf of the district when they click on the “I Accept” button. Many do not have the authority to enter into contracts on behalf of the district.

Many online apps and services operate on a freemium model that leverage user information as a currency to subsidize the free version of the product.

Some online apps and services actually claim a license and “ownership” of teacher and student data and content.





Key Points of BWRSD Current Practices

Student Apps, Tools and Online Service

New apps and services need to have their Terms of Service and Privacy Policy reviewed BEFORE they can be used by students

No student information or data should be entered into a new app or service prior to review.

[BWRSD App Vetting Process and Resources](#)



Key Points of BWRSD Current Practices

District Responsibilities

Training and support for staff

Account terminations when staff exit the district to protect student data

Regular and clear communication with the school community

Review of online apps, services and sites

Compliance with applicable federal and state laws



BWRSD District Privacy Initiatives-**Planning** Stage

FERPA Policy revisions and update

District Privacy Officials

The District Privacy Officials will be responsible for ensuring accountability for privacy laws and policies

The District Privacy Officials will also serve as the main contacts for questions

Contracts with Vendors

Contracts will clearly list how student data is collected, protected, secured and destroyed

Contracts will clearly list what happens to student data and content in the event of a company sale or bankruptcy

Contracts will clearly indicate that ad serving to students is prohibit



BWRSD District Privacy Initiatives-**Planning** Stage

District Online Privacy and Safety Committee

Will serve in an advisory capacity

Will review requests for new applications and online services for student use

Will provide oversight as to the District's compliance with applicable laws

Breach of Student Data

All staff must inform their supervisor of a student data breach, accidental or malicious

The district will formally investigate any breaches of student data

The district will notify all stakeholders, specifically parents and students



Student Data & Privacy Resources

[Student Data & Privacy Resource Page \(BWRSD\)](#)

[US DOE Privacy Technical Assistance Center](#)

[Student Data Principles](#)

[Student Privacy Resource Center \(FERPA SHERPA\)](#)

[Educator's Guide to Student Privacy \(FERPA SHERPA\)](#)

[MA Student Privacy Alliance](#)

[Access 4 Learning Student Data Privacy Consortium](#)

[CoSN Trusted Learning Environment \(TLE\)](#)