



Privacy Resources for IDEA

IDC would like to acknowledge the Privacy Technical Assistance Center (PTAC) who contributed to the development of this resource.

Background Information

[FERPA/IDEA Crosswalk: IDEA and FERPA Confidentiality Provisions](#)

This document contains a side-by-side comparison of the confidentiality provisions in the *Family Educational Rights and Privacy Act* (FERPA) and the *Individuals with Disabilities Education Act* (IDEA).

[Intersection of FERPA and IDEA Confidentiality Provisions](#)

This webinar provides an overview of definitions, confidentiality provisions, and the latest regulatory changes under the *Family Educational Rights and Privacy Act* (FERPA) and Part B of the *Individuals with Disabilities Education Act* (IDEA). The presentation highlights similarities and differences in the requirements between the two statutes.

[Data De-Identification: An Overview of Basic Terms](#)

This document is intended to assist educational agencies, early intervention service programs and providers, and preschool special education programs and agencies in maintaining compliance with privacy and confidentiality requirements under the *Individuals with Disabilities Education Act* (IDEA) and the *Family Educational Rights and Privacy Act* (FERPA). The document reviews the terminology used to describe data de-identification as well as related concepts and approaches. It provides general best practice suggestions regarding de-identification strategies for different types of data and statistical techniques that can be used to protect children against data disclosures. In addition, it identifies additional resources on applicable IDEA and FERPA requirements.

Protecting Privacy

[Protecting Student Privacy While Using Online Educational Services: Requirements and Best Practices](#)

This document addresses privacy and security considerations relating to computer software, mobile applications (apps), and web-based tools, provided by a third-party to a school or district, that students and/or their parents access via the Internet and use as part of a school activity. The document follows a question and answer format and includes a resource list and glossary of related terminology.

[Protecting Student Privacy While Using Online Educational Services](#)

This training video can help kindergarten through grade-12 school personnel better protect student privacy while using online educational services and applications. The video is intended for use during teacher in-service days or professional development meetings. It provides a short summary of the issue and some examples to help

educators identify which online educational services and applications are privacy-friendly and protect student data from improper use and disclosure.

[FERPA Exceptions—Summary](#)

A privacy and data protection program for student education records must include a set of checks and balances to ensure that the necessary privacy and protection rules and procedures are in place and that agencies are implementing them fully. This document provides information about how to complete formal periodic audits of the various processes involved in processing and using personally identifiable student information. It provides an overview of the four most commonly used exceptions to the *Family Educational Rights and Privacy Act* (FERPA) written consent requirements.

[Statistical Methods for Protecting Personally Identifiable Information in Aggregate Reporting](#)

This technical brief examines what protecting student privacy means in a reporting context. The brief describes current reporting practices and provides each an example table for each practice that is used to consider whether the intended protections are successful. The brief illustrates that some practices work better than others in protecting against disclosures of personally identifiable information about individual students. The brief concludes with a set of recommended reporting rules that can be applied in reports of percentages and rates that are used to describe student outcomes to the public.

[Frequently Asked Questions—Disclosure Avoidance](#)

This document provides general guidance to state and local education agencies and institutions about the best practice strategies for protecting personally identifiable information, or PII, from education records in aggregate reports. The document provides suggestions on how they can ensure that they are meeting necessary confidentiality requirements, including compliance with the *Family Educational Rights and Privacy Act*. The document presents the information in the form of responses to frequently asked questions, followed by a list of additional resources.

[Frequently Asked Questions: IDEA Early Childhood – Disclosure Avoidance](#)

This document provides guidance to *Individuals with Disabilities Education Act* (IDEA) Part C early intervention and Part B 619 preschool special education agencies and programs on effective strategies for protecting personally identifiable information, or PII, from education records in aggregate reports. The document provides suggestions on how to ensure that they meet necessary confidentiality requirements, including compliance with the *Family Educational Rights and Privacy Act* and *IDEA*.

[FERPA & Coronavirus Disease 2019 \(Covid-19\) Frequently Asked Questions \(FAQs\)](#)

The purpose of this guidance document is to answer questions that school officials may have concerning the disclosure of personally identifiable information from students' education records to outside entities when addressing the Coronavirus Disease 2019 (COVID-19).

[FERPA and Virtual Learning Related Resources](#)

This technical assistance list identifies resources on virtual learning and the *Family Educational Rights and Privacy Act* (FERPA). The information may be helpful as educators and students move to virtual learning during the time of social distancing due to COVID-19.

Privacy and Data Governance

[Data Governance and Stewardship](#)

This brief provides guidance on how to successfully manage complex data systems by establishing a comprehensive data governance approach. The data governance principles the brief discusses apply to a large number of audiences that can use the principles to improve data management of systems spanning pre-school through postsecondary education and into the workforce.

[Data Stewardship: Managing Personally Identifiable Information in Electronic Student Education Records](#)

This brief focuses on data stewardship, which involves each organization's commitment to ensuring that they respect the privacy, confidentiality, security, and appropriate use of the data when they collect personally identifiable information. The brief also discusses internal control procedures that organizations should implement to protect personally identifiable information, including the use of unique student identifiers and linking codes, workforce security, authorization for access, role based access to student record data, permitted uses, and the handling of data breaches. The brief concludes with a discussion of accountability and auditing, including an overview of the types of audit activities that organizations can put into place to ensure that they have implemented all stages of data stewardship successfully.

Best Practices

[Transparency Best Practices for Schools and Districts](#)

This document is intended to assist elementary and secondary schools and local educational agencies (LEAs or districts) in achieving greater transparency with respect to their data practices. It informs schools and districts of the basics of legal compliance, but it encourages educational organizations, as a best practice, to go beyond the minimum notifications federal law requires. This document contains recommendations about how schools can communicate with parents about confidentiality and protection of their children's personally identifiable information.

[Case Study #5: Minimizing Access to PII: Best Practices for Access Controls and Disclosure Avoidance Techniques](#)

This case study illustrates how agencies can implement specific provisions of the *Family Educational Rights and Privacy Act* and protect against unauthorized disclosure of personally identifiable information, or PII. The case study uses fictional agencies, does not address individual circumstances, and does not consider additional legal requirements of other federal, state, or local laws.

[Privacy Considerations During Data Integration](#)

This webinar highlights successful practices to mitigate privacy concerns that emerge during integration of IDEA data. Webinar objectives include; (1) understanding that the integration of *Individuals with Disabilities Education Act* data does not compromise the privacy of student data if done correctly; (2) recognizing the different and similar privacy requirements of IDEA and the *Family Educational Rights and Privacy Act*; (3) identifying the benefits of data integration as it relates to privacy and overall security; and (4) gaining access to resources and experts to support privacy and security needs.



Checklists and Tools

[Data Governance Checklist](#)

The purpose of this checklist is to assist stakeholder organizations, such as state and local educational agencies, with establishing and maintaining a successful data governance program to help ensure the individual privacy and confidentiality of education records. This document summarizes specific best practice action items about the key data privacy and security components of a data governance program.

[Written Agreement Checklist](#)

This document summarizes the requirements for the written agreements under the studies exception and the auditor evaluation exception as specified in the *Family Educational Rights and Privacy Act*. The document provides best practice suggestions that may help to further enhance the transparency and effectiveness of the agreements.

[Data Sharing Agreement Checklist for IDEA Part C and Part B 619 Agencies and Programs](#)

This 2014 document is an adaptation of the 2012 release of “Data Sharing Agreement Checklist” intended for K-12 audiences. Presented as a checklist, the document summarizes the requirements for the written agreements under the audit or evaluation exception that the *Family Educational Rights and Privacy Act* specifies and that also apply to the *Individuals with Disabilities Education Act* (IDEA) for Part C early intervention and Part B 619 preschool special education.