



# THE UTAH DATA RESEARCH CENTER

General Governance

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## Scope of Policy

This policy applies to all employees, contractors, and any individual or group requesting access to confidential, sensitive, or restricted information stored within the Utah Data Research Center (UDRC) or maintained by the UDRC. Individuals granted access to any data in the UDRC system or maintained by the UDRC must abide by all related policies, laws, operating procedures, or other policies governing data housed or maintained in the UDRC system.

The UDRC shall amend this policy as necessary to conform to existing or prospective state and federal law and may, at its discretion, amend this policy in any manner it shall see fit so long as the policy remains consistent with state and federal law. The UDRC Advisory Board shall provide advisement of proposed amendments to the policy prior to final publication of amendments.

# Institutional Governance

## Overview

The UDRC is a program of the Workforce Research and Analysis (WRA) division of the Department of Workforce Services (DWS) of the state of Utah. The center was created through the legislative process, mandated by S.B. 194, with an inception date of July 1<sup>st</sup>, 2017. The center is directed to establish a data research program; to this extent it is necessary to collect state of Utah data. As of its inception, the following agencies are required to contribute data to the UDRC for this purpose: DWS, Utah State Board of Education (USBE), Utah System of Higher Education (USHE), Utah System of Technical Colleges (USTC), and the Utah Department of Health (UDOH). Once compiled by the UDRC, the data constitute a longitudinal data system and therefore support longitudinal research methods. UDRC data is critical for providing answers to complex public policy questions. The purpose of this document is to define the roles, responsibilities, powers, directives, and the interagency data protocols which shall govern and delineate the activities, decisions, and products of the UDRC.

The data contributing agencies (henceforth "data agencies") support the shared goals of leveraging and utilizing these data in a centralized data warehouse for the purpose of conducting research, and creating a more efficient modality for the exchange of data across agencies. The centralization of these data provides far greater access to protected data for the completion of reporting, research, planning, evaluation, policy and decision making.

The UDRC is an official Utah state government entity which takes no political positions. The goal of the UDRC is to provide objective data and research which will drive evidence-based decisions regarding public policy. The UDRC does not speak on behalf of any agency, its leadership, or governing board.

The UDRC technology solution provides:

- Security – Hashing, encrypting, obfuscation, suppression, and access management are integrated, thus risk is mitigated to an acceptable level given the sensitivity of the data.

- Efficiency – Automation of data extraction and a common extraction protocol which decreases resources (capital and labor) required to accomplish the very foundational task of retrieving data. In addition, the consolidation of data increases access and decreases effort for individuals seeking information.
- Quality – Data governance, automated protocols, and IT structures are combined to produce longitudinal data with very high level of consistency, accuracy, and of credible research value.
- Efficacy – Automation, quality systems, and data access points contribute to the decreased time for the production of research and additional data products.

### §35A-14 Utah Data Research Center

Signed into law on Mar 24<sup>th</sup>, 2017, and effective July 1<sup>st</sup>, 2017, §35A-14 establishes the following provisions into state law:

- Establishes the UDRC as a program within the WRA division of DWS
- *Requires* USBE, USHE, USTC, DWS, and UDOH to contribute data to a data research program used by the UDRC
- Directs the hiring of UDRC staff
- Directs the UDRC to:
  - Construct a data research program which contains de-identified data from agencies
  - Accepts requests from state government officials or a member of the public for a data research request
  - Create a prioritized list of data research requests
  - Create an online data visualization portal
  - Use fees collected to assist center costs
  - Report annually to the Education Interim Committee

This section serves as an abridged summary of the information detailed in §35A-14 . What is contained herein is informational and does not bind the center to action; any disputes pertaining to the roles and responsibilities of the UDRC will be resolved by referencing the enrolled act: <https://le.utah.gov/~2017/bills/static/SB0194.html>

## Powers

§35A-14 grants the following powers to UDRC:

- Employ staff
- Purchase, own, create, or maintain equipment necessary to:
  - Collect data;
  - Connect and de-identify data collected;
  - Store connected and de-identified data; and
  - Conduct research on data stored or obtained by the center
- Contract with a third party to carry out the center's duties

## Utah Data Research Center Advisory Board

§35A-14 creates an Advisory Board and specifies the membership as representatives of the data agencies.

## Data Research Center

§35A-14 specifies the following actions to be undertaken by the UDRC:

- A data research program will be established for the purpose of analyzing data that is:
  - Longitudinal
  - Aggregated from multiple sources
  - Connected and de-identified
- In addition, the UDRC will:
  - Construct the technology infrastructure
  - Receive and store data from data agencies
  - Release data in a prescribed manner
  - Not be subject to GRAMA

## Duties

§35A-14 specifies the following duties for the UDRC:

- Conduct research for the purpose of developing public policy for the state
- Create an annual prioritized research list, with consultation of the Advisory Board

- In developing the prioritized list, the center shall:
  - Accept data requests from:
    - Legislative branch
    - Executive branch
    - Data partner agencies
  - Report prioritized list to Education Interim Committee before December 1<sup>st</sup> of each year
- In addition to the prioritized list of research, the center may use additional resources to conduct external research requested by<sup>1</sup>:
  - State government entities
  - Political subdivisions of the state
  - Private entities
  - Members of the public
- Provide completed research to the public through a website
- Assure that all data made public through research be de-identified
- Establish, through the rule making process:
  - Procedures for submitting research requests
  - Criteria for prioritization of research
  - Minimum standards for information required to be provided for a research request
  - A fee schedule for research requests from entities or individuals not specifically named in section 35A-14-302
- Release data sets that are connected and de-identified, as requested by:
  - Participating agencies
  - Executive or legislative branch
- Center may cover operating costs through collecting fees

## Data Visualization Access

§35A-14 specifies the following regarding the creation of a data visualization access point:

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<sup>1</sup> Please reference §35A-14 for additional rules related to the approval, prioritization, and cost considerations for "external" research requests



- Create an online data visualization portal that provides the public access to connected aggregated and de-identified data
- Create role-based dashboards which:
  - Permit querying of data
  - Integrate real-time data
  - Allow data views to be customizable

## Reporting

§35A-14 requires the following:

- A report to the Education Interim Committee before July 1<sup>st</sup> of each year addressing the following:
  - Research priorities for the year, including current ongoing research
  - Completed research from the previous year

## UDRC Statements

### Mission

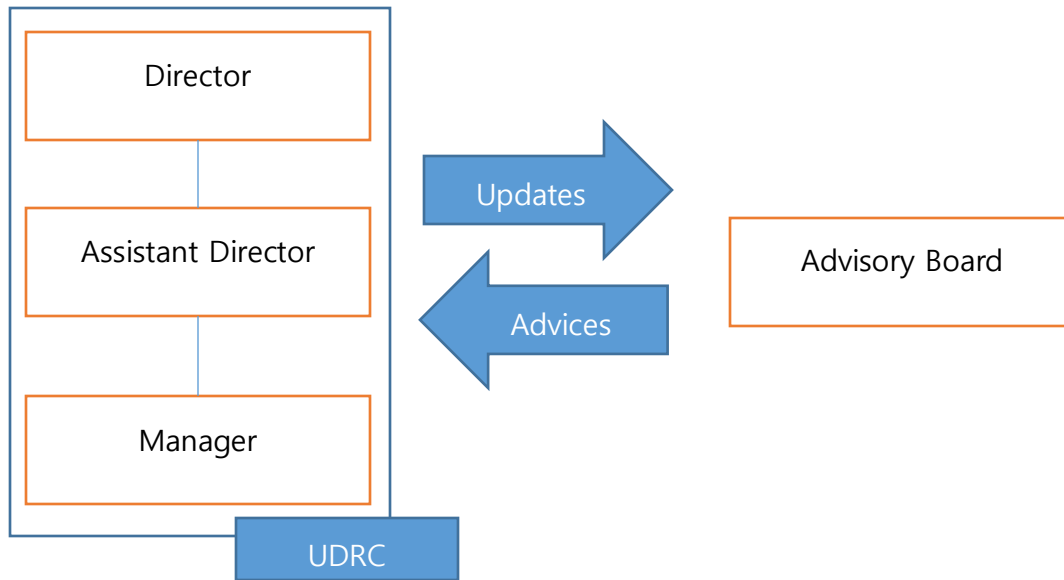
*"The Utah Data Research Center aims to conduct meaningful research to inform public policy initiatives, providing the platform for policymakers, practitioners, and the general public to make data-informed decisions"*

### Vision

*"To create a world class state of Utah data and research platform to empower stakeholders."*

## Administrative Structure

The administrative structure of the UDRC is as follows:



In conjunction, the director, assistant director, and manager hold the following responsibilities:

- Ensure privacy and confidentiality of data, as required by the state and federal privacy laws, such as the Family Educational Rights and Privacy Act, the Student Data Protection Act, and the Utah Student Privacy Act
- Act as liaisons in identifying appropriate policy questions which can be addressed with the data contained within UDRC
- Develop and review UDRC's policies and procedures on a regular basis
- Prioritize requests
- Conduct research and compile reports
- Provide appropriate training for accessing data and technical support for users
- Review and evaluate use access on a regular basis
- Provide system utilization reports to the data agencies

Beyond these global responsibilities, individuals in UDRC leadership must accomplish the following:

## Director

The Director of the UDRC oversees the attainment of the UDRC's mission and the pursuit of its vision. Final executive decisions are made by the Director. Furthermore, the Director is entrusted with the aggregate budget decisions related to the consumption of funds appropriated to the UDRC. In addition, the Director shall oversee the performance of the Assistant Director and provide guidance when required.

## Assistant Director

The Assistant Director (AD) of the UDRC communicates the operational directives of the Director to the manager. The AD may also add to these directives for the purpose of attaining UDRC's mission and pursuing its vision. The AD is expected to make executive decisions for the purpose of furthering the operational directives of the Director. The AD is directed to establish the legal infrastructure necessary to actuate the operation of the UDRC, and provide leadership and ultimate decision-making in the creation of the technology solution. The AD is entrusted with operational budget decisions. The AD, along with the Director, are the primary points of contact for internal and external entities and individuals in regards to communication-unless delegated to manager. Lastly, the AD oversees the performance of the UDRC Manager; providing guidance when required.

## Manager

The Manager is tasked with the day-to-day management of the UDRC, and to execute the vision and mission promulgated by the directives of the Director and Assistant Director. These are accomplished by completing the following tasks: project managing the technology solution from the business side, formulating a research agenda and managing the research quality and quantity of the researchers, conducting research, and developing and managing employees.

## Utah Data Research Center Advisory Board

The UDRC Advisory Board is composed of designees from the data partner agencies (as of October 26, 2017: UDOH, USBE, USTC, and USHE). The Advisory Board's main role is to assist in the development of the research agenda and provide valuable and relevant feedback to the UDRC administration regarding the activities of the UDRC. Advice from the

advisory board meeting shall be compiled and tracked on a regular basis. Decisions and progress on action associated with board input will be presented in future advisory board meetings. This promotes transparency and increases oversight for the UDRC and its management.

## UDRC Decision Making Process

Administrative (day-to-day) decisions will be made by the director, associate director, and manager. Decisions which affect data access, security, or the research agenda will be communicated to the Advisory Board. Feedback will be requested from the Advisory Board, and changes, deemed necessary by UDRC management, shall be instituted.

## The Roles and Responsibilities of the Data Agencies

### Roles

- Act as subject matter experts for domain-specific data
- Ensure the stability of the technology solution by:
  - Communicating to UDRC, with sufficient time, changes in data structure or format.
  - Communicating internal business technology changes which could affect the delivery of data to the UDRC system
  - Providing reasonable assistance in resolving data loading issues which are attributed to the data agency

### Responsibilities

- Authorize UDRC as a “representative”<sup>2</sup>-USBE, USHE, and USTC
- Provide *quality assured* data
- Provide a data dictionary
- Maintain compliance with established MOUs
- Assist in the creation of the research agenda
- Conduct research

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<sup>2</sup> Per FERPA exceptions; UDRC must be an authorized representative of a state educational authority

## Research Agenda

Research and dataset requests will vary across source. Directed by §35A-14, requests from the legislative branch, the executive branch, or partner agencies shall be considered primary. Requests from political subdivisions of the state, private entities, and members of the public will be incorporated into an ancillary research agenda. The ancillary research agenda shall be addressed as resources are made available.

## Primary Research Agenda Process

In order to ensure all agencies are represented in the research output of the UDRC, the research topics are appropriate and relevant, and that the research agenda is delivered to the Interim Education Committee before December 1<sup>st</sup> of every year, the proceeding process will be followed:

1. UDRC arranges meetings with partner agencies to receive research topics for the following year.
2. Agencies provide research topics, and an agency specific prioritization of these research topics, by October of each year.
3. A draft research agenda is formalized by aggregating the research topics provided by the partner agencies.
4. Research topic input from additional entities, as denoted in §35A-14, is captured and integrated (e.g. legislative and executive branch).
5. The draft research agenda is presented to the Advisory Board by November of each year. If no advisory board meeting occurs during this month, then the advisory board members will be notified via email of the draft research agenda. The Advisory Board then provides guidance on the research topics.
6. The feedback from the Advisory Board is incorporated and a preliminary research agenda is created.
7. The preliminary research agenda is presented to the Interim Education Committee before December 1<sup>st</sup>.
8. Input, if any, from the Interim Education Committee is incorporated into the preliminary research agenda.
9. The finalized research agenda is distributed to the public.

## Ancillary Research Agenda Process

The ancillary research agenda process is detailed in rule 982-800 of the Department of Workforce Services' administrative rules set. Below is a summary of the process; please refer to the aforementioned rule for additional details regarding the request:

1. Data research requests shall be submitted through the UDRC's website. Included in the request shall be the necessary information to administratively determine whether the request can be completed.
2. A decision is made by the UDRC based on the information provided.
3. If a decision is made in the affirmative, then a payment agreement is set forth.
4. The UDRC prioritizes the ancillary research request given the protocol set forth in rule 982-800, and works on ancillary research requests as time and resources become available

## Peer Review Process

The peer review process is intended to ensure the protection of PII; sound methodological and statistical procedures are employed; the context provided is congruent with reality and avoids subjectivity; and partner agencies are given the ability to provide feedback, and adequate time to formulate responses to the research should they so desire. The peer review process is not intended for censorship. Staff of UDRC will put forth significant effort to preserve the center's role in supporting all research, regardless of the implications of any research findings.

## UDRC Research

To ensure the highest level of quality and accuracy in the statistical methods, results, and conclusions of original research, the following peer review process shall be implemented for all internal research prior to publishing:

1. Draft report of research is created.
2. Draft report is internally peer reviewed by Manager, Assistant Director, and Director.
3. Input from internal peer review is integrated into draft report.
4. Preliminary report is communicated to partner agencies whose data is discussed or included in the analysis.

5. Input from partner agencies is considered for integration.
6. Preliminary report is communicated to a third party subject matter expert for final review.
7. Input from the third party is considered for integration.
8. Final report is first provided to partner agencies and the Advisory Board. Members have two weeks to review and comment.
9. The report is published to the UDRC website.

### External Research

All research conducted by external researchers must be peer reviewed prior to publication; in order to ensure quality control of research borne from UDRC data. The process is detailed below:

1. External researcher provides a draft of the research document to UDRC.
2. The UDRC provides methodological and statistical feedback to external researcher within a mutually-beneficial time line.
3. The UDRC shares the research document to the relevant data agencies for subject matter expertise feedback.
4. External researcher incorporates feedback into research document and appends the following disclaimer to research document:

*"Data for this research was accessible through Utah's state longitudinal data system database administered by the Utah Data Research Center which includes data supplied by UDRC members. This research, including the methods, results, and conclusions neither necessarily reflect the views of, nor are endorsed by, the UDRC members. All errors are the responsibility of the author."*

5. Prior to final publishing of research document, external researcher communicates final draft of document to the UDRC. The UDRC will share the final draft with the relevant partner agencies for the purpose of providing said agencies the opportunity to prepare any necessary response.
6. The UDRC provides approval or final feedback to researcher.

Research conducted by partner agency researchers will not fall under this protocol. These agencies will employ their own internal peer review processes.

### Institutional Review Board

Research conducted by external researchers shall be reviewed by the Utah State Board of Education Institutional Review Board (USB E IRB) for the purpose of ensuring the protection of human subjects. Please refer to the document titled "Utah State Board of Education Institutional Review Board Policy" for the complete verbiage of the policy governing the criteria, structure, and processes related to the USB E IRB. Below is the internal UDRC process for delivering research to the IRB to be reviewed:

1. Capture relevant information of prioritized research, or requested data set, for the purpose of IRB review.
2. Communicate information to the IRB for exempt review.
3. Receive decision from the IRB within five working days.
4. If approved, proceed with research or creation of data set. If declined, request reasons for declination, and appeal. If appeal is unsuccessful, notify requesting parties.



# Data Governance

## Overview

This Data Governance Plan establishes the rules for the access and use of data collected, stored, or maintained by the UDRC. This policy is consistent with the disclosure provisions delineated in the Federal Education Rights Privacy Act of 1974 (FERPA) and all other applicable state and federal data privacy laws.

## Federal Law

Restrictions on the release of personally identifiable information (PII) and statistically identifiable information as defined in FERPA safeguards the confidentiality of individual student information. This law requires that educational institutions and state agencies maintain the confidentiality and privacy of PII in student records. The U.S. Department of Education has created extensive regulations regarding implementation of FERPA under Title 34, Part 99 of the Code of Federal Regulations (CFR). Appendix A (Family Educational Rights Privacy Act (FERPA) and Confidentiality of UDRC Education Data) provides a more in-depth discussion of FERPA and the methods the UDRC employs to comply with it and other applicable rules.

In some instances, data may also be protected by the Parts B and C of the federal Individuals with Disabilities Education Act, also known as "IDEA". Federal regulations regarding implementation of IDEA can be found in Title 34, Part 300 and Title 34, Part 303 of the Code of Federal Regulations. IDEA incorporates all the provisions of FERPA and adds eight additional requirements to safeguard privacy.

Workforce-related data are also protected and secured by federal law, such as Section 303 of the Social Security Act, for which the U.S. Department of Labor has promulgated Title 20, Part 603 of the Code of Federal Regulations. Furthermore, the federal Workforce Innovation and Opportunity Act of 2014 prohibits the disclosure of information collected under the auspices of the workforce development system that would "constitute a clearly unwarranted invasion of personal privacy." In other words, the UDRC cannot release or share information about individuals that would constitute an unwarranted invasion of privacy, even to advance its workforce development system.

## Utah State Law

§35A-14 establishes the organizational structure and procedures regarding data disclosure. The Student Data Protection Act prohibits USBE from disclosing students' personally identifiable information (PII) for the purpose of external research or evaluation. PII will not be disclosed for research or evaluation performed by UDRC or with data maintained by UDRC.

## Data Security

As providers of the business technology support, the UDRC defers to the policies of DWS and the Department of Technology Services (DTS) regarding data security. Please refer to the security and privacy controls promulgated by NIST 800-53.<sup>3</sup> NIST 800-53 provides guidelines and policies for service-level agreements (SLA) and data management (e.g., backups, redundancy, data retention, etc.) in support of effective data security.

## Data Access and Usage

This policy establishes the procedures and protocols for data access and data usage for the UDRC data warehouse. The policy is intended to be consistent with disclosure and access provisions of all federal and state agencies connected to the UDRC agencies. In addition DWS data privacy and security policies including training on the handling of sensitive data are in effect. If a project requires data from only one data contributor, the researcher must contact the individual state agency and will not be granted access to the data through the UDRC.

The UDRC data warehouse is created and used in accordance with state and federal legal authorities that govern information exchange, access, and confidentiality of individual records. Storing data in the UDRC data warehouse does not create new rights of access to the data loaded in the UDRC data warehouse for UDRC members or any other entity. The UDRC data warehouse is a tool for storing data that is intended to enable research for the purpose of informing public policy. Violations of this policy could result in loss of access to the UDRC data warehouse and criminal prosecution pursuant to applicable state and federal law.

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<sup>3</sup> <https://csrc.nist.gov/csrc/media/publications/sp/800-53/rev-5/draft/documents/sp800-53r5-draft.pdf>

## UDRC's Tiered Data Access System

The UDRC stores four types of data in the following level scheme: (1) Restricted-Use Data, (2) UDRC Research-Use Data, (3) External Research-Use Data, (4) Public-Use Data.

### Restricted-Use Data (Level 1)

These are data that include information about the identity of individuals and employers. These data are strictly confidential and require specific procedures to protect confidentiality per FERPA regulations and other state and federal requirements. Only authorized staff shall have access to PII. Authorized UDRC staff shall only access the PII for the purpose of matching and linking records together and validating the accuracy of that process. These data are kept secure at all times and authorization for access is controlled through the operational and standard DWS IT Secure Access Management Service (SAMS) system.<sup>4</sup>

### UDRC Research-Use Data (Level 2)

These are data that contain unit-level records (e.g., individual scores, enrollment and graduation information, etc.), but contain no primary individually identifiable information and therefore are no longer subject to FERPA disclosure rules. Primary PII is replaced with a UDRC unique ID and generalized using identity-masking demographic information. These data are kept secured, with authorization to access granted through the DWS SAMS system. UDRC researchers and external researchers from the partner agencies will have access to these data. UDRC researchers will access these data directly, while partner agency external researchers will access through the dedicated and secure application program interface (API) , employing a key, requested through the the front-facing graphical user interface provided in the UDRC website.

### External Research-Use Data (Level 3)

These data may contain unit-level records, but contain no primary individually identifiable information and therefore are no longer subject to FERPA disclosure rules. In addition, a process to ensure that data requested through an API does not contain means to identify via triangulation will be employed to ensure adherence to FERPA and state laws. External researchers will work with the data communications coordinator to understand the metadata

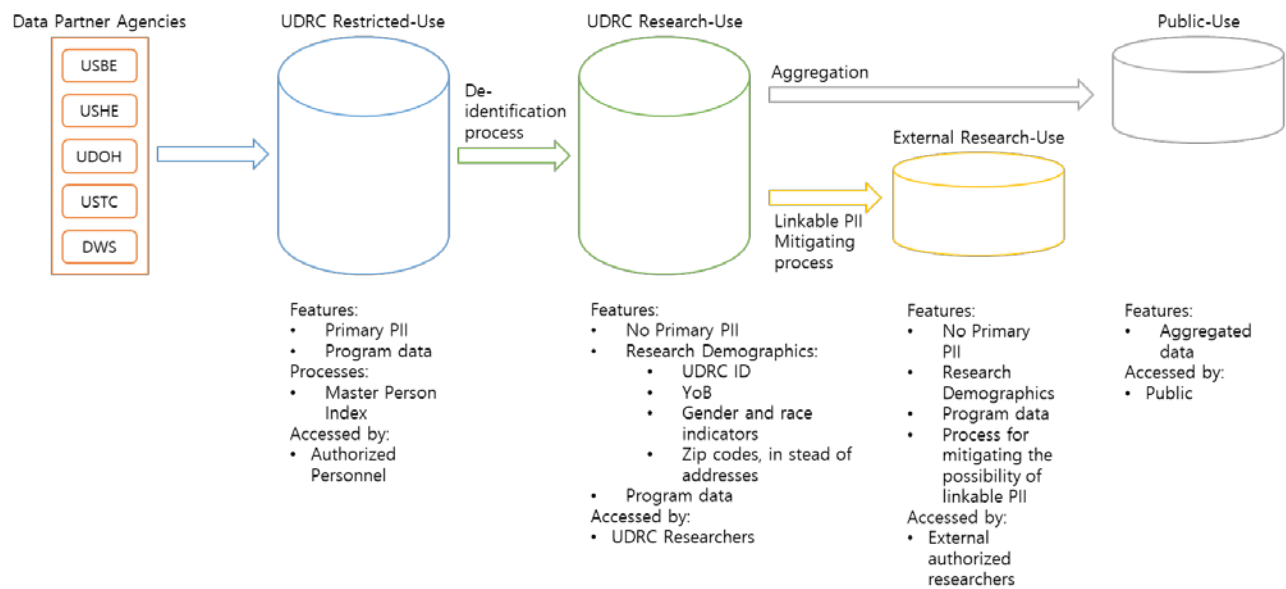
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<sup>4</sup> SAMS is the enterprise access level management system employed to safeguard access to DWS IT systems

of a given data set, be informed of the data available, and for the creation of custom data sets for their particular research question. In addition, external researchers will sign a non-disclosure agreement to promote the security and privacy of data to which they have been granted access.

### Public-Use Data (Level 4)

These are data that have been aggregated from level 2 data and contain no unit-level record data. These forms of data are for public use and can be published. These data will be combined to ensure presentations are consistent with the purpose of the UDRC. Reporting of singular data points of a given agency will not occur unless necessary for the purpose of context or mandated by legislative directives. See below for a diagram of the tiered access system:



### Data Access Roles

Data access roles are governed by the following criteria:

Role	Data Access Level	Governing Privacy Law	Control of Access
<b>DBA, UDRC Leadership and Researchers</b>	Level 1 Data	FERPA	Through employment and SAMS
<b>UDRC Researchers</b>	Level 2 Data	Potentially FERPA through linkable PII, will	Through employment and SAMS

			mitigate through UDRC policies and procedures
<b>Partner Researchers</b>	Level 2 Data	Potentially FERPA through linkable PII, partner agencies are responsible for the mitigation of disclosure through internal policies and procedures	Through employment at partner agencies and partner agency senior management approval
<b>External Researcher</b>	Level 3 Data	Potentially FERPA through linkable PII, UDRC will mitigate potential by employing a rules engine	Through process detailed below under the "Process for Becoming an Authorized Researcher"
<b>Public</b>	Level 4 Data	N/A	No control of access as it relates to data products available through the UDRC website

## De-Identification Process

Data tables from the agencies are copied into the UDRC Research-Use database. The primary unique identifier is the UDRC assigned ID. Primary PII (full name, date of birth, student ID number (USHE, UCAT, USTC), ECIDS ID number-or proxy-(UDOH), and SSN) received from the agencies are removed. This becomes a truly de-identified data set.

## Linkable Identification Mitigating Process

UDRC adopts the best practices strategies of disclosure avoidance as recommended by the Privacy Technical Assistance Center (PTAC) and "Statistical Methods for Protecting Personally Identifiable Information in Aggregate Reporting."<sup>5</sup> The term "disclosure avoidance" refers to the efforts made to reduce the risk of disclosure such as applying statistical methods to protect PII in aggregate data tables. These safeguards, often referred to as disclosure

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<sup>5</sup> Seastrom, Marilyn. (2010).

avoidance methods, can take many forms (e.g., data suppression, rounding, recoding, obfuscating, etc.).

All data must be reported in a way that individuals cannot be identified based on the information available, meaning that a *reasonable person* in the community, who does not have personal knowledge of relevant circumstances, cannot identify an individual person with reasonable certainty. To accomplish this, the UDRC requires that at a minimum results of less than 10 individuals ( $n < 10$ ) in a category or subgroup be suppressed. Other appropriate techniques may be applied to further protect student privacy.

### Process for Becoming an Authorized Researcher

External researchers seeking data from the UDRC for the purpose of conducting research related to a topic which crosses agencies are required to:

1. External researchers must have a research idea which falls within the spirit of the UDRC domain
2. Be part of the state's executive, legislative, or judicial branch, or affiliated with a non-profit institution researching public policy.
3. Complete the online form to receive an API key

Form will include fields necessary to: understand the research topic, identify the researcher, providing information for IRB determination, and evaluate the relevancy of the research topic in relation to the data available at the UDRC.

4. Receive approval from UDRC and a satisfactory exemption review from the UDA IRB
5. In consultation with the UDRC, specify the data fields and data timeframe required for the research at hand

Upon completion of this process, the external research will be considered "authorized" and will receive an API key. The researcher will access the requested data by utilizing the API key to request the data by specifying an ID provided by the UDRC. The API key will expire after all IDs associated with a project-specific API key are consumed.

## Appendix

### Appendix A. Family Educational Rights Privacy Act (FERPA) and Confidentiality of UDRC Education Data<sup>6</sup>

FERPA allows for disclosure of individual level data containing PII under certain exceptions.

Two relevant exceptions are:

- Releasing data to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instructions; and
- Releasing data to authorized representatives of FERPA-permitted entities to audit or evaluate a Federal- or State-supported education programs; or enforce or comply with Federal legal requirements that relate to those education programs.

Notes:

- FERPA does not include a general research exception. Any research using individual data containing PII must meet at least one of these exceptions.
- FERPA applies only to data originating from education institutions receiving funding from the United States Department of Education.

FERPA (2012) regulation 34 CFR § 99 provides definitions for PII which may include but are not limited to:

- A. The student's name
- B. The name of the student's parent or other family member
- C. The address of the student or student's family
- D. A personal identifier, such as the student's Social Security Number, student number, or biometric record
- E. Other indirect identifiers such as the student's date of birth, place of birth, and mother's maiden name
- F. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does

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<sup>6</sup> The complete FERPA law can be access by the following URL: <https://www2.ed.gov/policy/gen/guid/fpco/pdf/ferparegs.pdf>

not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty

- G. Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates (34 CFR § 99.3)

Notes:

- A through E types of PII are called direct identifiers by FERPA.
- For type F PII, one is not considered a "reasonable" person by FERPA if they are an insider (e.g. teacher, aid, coach, PTA chair).
- Individual records that contain no PII are considered to be de-identified by FERPA. In order for individual records and some aggregate data not to fall under the F type of PII they must usually have one or more disclosure limitation/avoidance methods applied to them. FERPA allows such records to be released to anyone without consent.
- PII defined in type G is only available from an entity like a school or college that maintains individual data within an operational system.