Barbara Solomon

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Annotated Bibliography - DRAFT

I am completing my internship at School District 5 of Lexington and Richland Counties (School District 5), with my project focus being K-12 student data and the legal and ethical application of the Family Educational Rights and Privacy Act (FERPA). My research is focused on the application of current FERPA guidelines as they relate directly to K-12 Educational student data systems.

Bathon, J. (2013). How Little Data Breaches Cause Big Problems. *T H E Journal*, *40*(10), 26-29. Retrieved November 2, 2014 from <https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=94425245&site=ehost-live>.  
  
The article discusses legal issues in the U.S. education sector in 2013 involving the data security of students. It exposes the legal liabilities that could be imposed to schools who fail to secure student data. As a result of data breaches, the U.S. Department of Education established the Privacy Technical Assistance Center (PTAC) to help educational institutions institute data privacy, confidentiality and security practices. The federal Family Educational Rights and Privacy Act (FERPA) is identified as one of the laws governing data security in schools.

Berson, I. R., & Berson, M. J. (2006). Children and Their Digital Dossiers: Lessons in Privacy Rights in the Digital Age. International Journal Of Social Education, 21(1), 135-147. Retrieved 10/30/14 from <https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=eric&AN=EJ782348&site=ehost-live>  
  
The author of this journal article harkens back to the U.S. Constitution and right to privacy as a democratic principle protected by the Fourteenth Amendment. This strong belief of right to privacy leads to the idea of data protection as a form of self-protection. The author examines how technology has expanded the release of identifiable data to the public. Students' rights and the necessary protection of those rights are now being identified as a public concern. Especially concerning to the author is the tracking of students through public facing blogs, e-journals, digital photos, Web pages, online profiles etc. This article explores the ongoing debate over the protection of children's privacy.

Burton, D. (2010). Web-Based Student Art Galleries. *Art Education*, *63*(1), 47-52. Retrieved 10/27/14 from <https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=eue&AN=505289911&site=ehost-live>  
  
The writer examines issues pertaining to student privacy and the protection of personally identifiable information in light of the success of web-based student art galleries to exhibit their work.

Dauphinee, W. d., & Frecker, R. C. (2005). Routinely collected educational data: challenges to ethics and to privacy. *Medical Education*, *39*(9), 877-879. doi:10.1111/j.1365-2929.2005.02254.x. Retrieved 10/27/14 from <https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=eue&AN=18082843&site=ehost-live>.  
  
This journal article, though specifically related to students in medical school, offers an examination of the ethical issues facing all educating bodies. As collectors of student data and personally identifiable information, educators are responsible for protecting that information. The authors promote the use of guidelines which frame and support the careful protection of personal information, such as the storing of student data (testing and demographics) in segregated files.

Johnson, D. (2013). 7 Updated Rules for Securing Data. *Educational Leadership*, *71*(3), 82-84. Retrieved 11/8/14 from <https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=91736085&site=ehost-live>.  
  
This article is jammed packed with basic but imperative suggestions for school personnel to secure all privacy levels of digital data in their schools, The author mentions issues such as secure passwords, the U.S. Family Educational Rights and Privacy Act (FERPA), and screensavers for staff computers. Social engineering hacking techniques, computer viruses, and backup systems are discussed, as well as timely methods for educating students about protecting their data privacy.

National Center for Education Statistics, (2010). Basic Concepts and Definitions for Privacy and Confidentiality in Student Education Records. SLDS Technical Brief 1. NCES 2011-601. *National Center For Education Statistics*. Retrieved on 10/30/14 from <http://www.eric.ed.gov/contentdelivery/servlet/ERICServlet?accno=ED513101>   
  
This technical brief, written by The National Center for Education Statistics (NCES), is one of a series which explores aspects of the **protection** of personally identifiable information in **students'** education records. Most helpful is that many of the included examples are based on recent events. This document is most helpful in outlining the basic principles and practices that may be generally applied to personally identifiable information about **students**. This series of Briefs comes has useful information for those stakeholders responsible for the development, maintenance, **protection**, or use of **student** records **data**. The information is directly relatable to the work of school registrars.

McCallister, E., Grance, T., and Scarfone, K. (2010). *Guide to Protecting the Confidentiality of Personally Identifiable Information (PII): Recommendations of the National Institute of Standards and Technology* (NIST Special Publication 800-122). National Institute of Standards and Technology, U.S. Department of Commerce. Washington, DC: Retrieved 11/4/2014 from <http://csrc.nist.gov/publications/nistpubs/800-122/sp800-122.pdfo>   
  
This is a Technical Brief which outlines the most basic underlying ideals and definitions that provide the basis for a publically available set of terms related to the protection of personally identifiable information (PII). The brief relates especially to education records as they are accessed and maintained in Statewide Longitudinal Data Systems (SLDS).

National Forum on Education Statistics. (2010). Forum Guide to Data Ethics. NFES 2010-801. *National Forum on Education Statistics.* Retrieved 11/3/14 from <http://www.eric.ed.gov/contentdelivery/servlet/ERICServlet?accno=ED515885>

This guide provides an overarching view of the types of data educators collect related to s**tudents**, staff, and schools. Data originate in individually maintained student and staff records. This data, maintained in student information systems (SIS’s) are confidential and often of a sensitive nature. Even aggregated data such as school enrollment figures must be accessed and used in an ethically responsible manner. This guide is written from the view of experienced data managers. The author’s intend the guide to be used as a reference. Part I introduces data ethics specifically related to the field of education. Part II presents real-world examplesand discussion of the application of Data Ethics

National Forum on Education Statistics. (2006). *Forum Guide to the Privacy of Student Information: A Resource for Schools* (NFES 2006-805). US Department of Education. Washington, DC: National Center for Education Statistics. Retrieved October 26, 2014 from <http://nces.ed.gov/forum/ferpa_links.asp>.

This guide, published in 2006, proposes best practices to help state and local education agencies better understand and apply FERPA. The guide details the application of FERPA as it relates to specific student level data. It defines terms and offers guidance in the development of privacy policies. I found particularly helpful the detailed information related to disclosure procedures, parental rights and application to media such as video tapes, online information and media releases. The guide is very easy to read and squarely identifies the school district as the responsible party in ensuring that parents and students are provided the rights defined under FERPA.

National Forum on Education Statistics, (2011). Traveling through Time: The Forum Guide to Longitudinal Data Systems. Book Three of Four: Effectively Managing LDS Data. NFES 2011-805. *National Forum On Education Statistics*. Retrieved on 10/30/14 from <http://www.eric.ed.gov/contentdelivery/servlet/ERICServlet?accno=ED515850>   
  
This guide, "Book Three of Four: Effectively Managing LDS **Data**," is the third in this series of guides on longitudinal **data** systems (LDS). Chapter 4 of this 3rd book defines **data quality**. Chapter 5 discusses the processes that assist the creation and maintenance of quality **data**. Chapter 7 provides a basic overview of issues and relevant laws regarding the **protection** of **student data**. Chapter 8 addresses the security required to prevent unauthorized access of the private data.

Schick, D. (2014). Why you should always question a FERPA EXEMPTION. *Quill*, *102*(5), 36-37. Retrieved 11/5/14 from <https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=98929168&site=ehost-live>.  
  
The article discusses negative issues concerning the enactment of the Family Educational Rights and Privacy Act (FERPA) in September 2014. The author claims that the act requires schools who received federal funds to protect a student's school records from public release. The article criticizes the use of FERPA by schools to prevent the disclosure of information on sexual assault cases as well as deny the release of public records.

Toglia, T. V. (2007). How Does the Family Rights and Privacy Act Affect You? *Education Digest*, *73*(2), 61-65. Retrieved 11/5/14 from <https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=27177344&site=ehost-live>  
  
The article presents information on the U.S. Family Educational Rights and Privacy Act (FERPA). The author explains the significant impact FERPA has on teachers and administrators. The author presents guidelines to aid compliance with FERPA. The article fairly explains the required application of FERPA to all levels of education that receive federal funds. FERPA covers students' birth date and location, test scores, and medical and health records. The Department of Education's Family Policy Compliance Office enforces FERPA.

Protecting Student Privacy in the Digital Age.

LU, A. (2014). Protecting Student Privacy in the Digital Age. *Community College Week*, *26*(13), 5.

<https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=94637757&site=ehost-live>

The article focuses on the use of Big data for the protection of students' records. It mentions that the correct use of students' data including student attendance, their demographics, and test scores can be beneficial in the enrichment of education. It also discusses the effect of the U.S. Family Educational Rights and Privacy Act (FERPA) aimed at protecting students' records.

**Student** Data Protection Bill Would Set Limits on Use of School **Information**

https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=97887828&site=ehost-live

Nagel, D. (2014). Student Data Protection Bill Would Set Limits on Use of School Information. *T H E Journal*, *41*(8), 3.

The article focuses on how the proposed U.S. Protecting **Student** Privacy Act would restrict the use of **students**' personal data for commercial purposes. Topics discussed include the bill's amendment of the 1974 Family Educational Rights and Privacy Act (FERPA), ensuring that **students**' personal **information** is controlled by parents and not sold on the open market, safeguards to prevent misuse of **students**' educational data, and the bill's introduction by Senators Edward J. Markey and Orrin Hatch.

Federal Judge Tosses Suit on FERPA Rules Change

WALSH, M. (2013). Federal Judge Tosses Suit On FERPA Rules Change. *Education Week*, *33*(7), 21.

The article discusses the outcomes of a lawsuit filed by the Electronic Privacy Institute against the U.S. Department of Education regarding the legality of posting student identification numbers within school directories under the Family Educational Rights and Privacy Act of 1874 (FERPA).

Klein, A. (2008). Groups Urge That FERPA Rules Give Researchers Access to Data. *Education Week*, *27*(38), 20-21.

<https://pallas2.tcl.sc.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=32454759&site=ehost-live>

Groups Urge That FERPA Rules Give Researchers Access to Data.

The article focuses on the debate over laws enabling or restricting researcher access of student information in the U.S. The Family Educational Rights and Privacy Act is described in detail, pointing out its mandate for parental consent of K-12 students' information for research purposes. Details are given outlining the conditions and purposes of the calls for information access, stressing its value to system-wide educational assessment.