



## FREQUENTLY ASKED QUESTIONS CEPI Data Systems Privacy and Security Practices

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General FAQs.....	1
CEPI Data Collections .....	2
CEPI Data Systems.....	4
Definitions.....	6
Data Safeguards .....	7
Restricted Access to Data .....	8
Data Governance .....	11

### GENERAL FAQs

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#### **1. Should I be concerned about student data privacy?**

Great gains have been made in recent years on the power and use of data in education. At the same time, alarms are raised about identity theft and government intrusion into our private lives. As Michigan citizens, we should all seek an understanding of the federal, state and local practices around collecting and sharing data about students.

These FAQs should help. Here are some other helpful background materials that address many what, why, who, and how questions:

- [Family Educational Rights and Privacy Act](#)
- [CEPI Privacy and Security Policy](#) details CEPI policies for safeguarding student data in compliance with FERPA.
- The [Student Privacy Policy Office](#) provides guidance for parents, students, and school officials on FERPA and the Protection of Pupil Rights Amendment (*U.S. Department of Education*).
- The [Privacy Technical Assistance Center](#) explains, in plain language, FERPA rights for families as well as responsibilities of institutions that hold student records (*U.S. Department of Education*).
- [Data: The Missing Piece to Improving Student Achievement](#) is a short interactive guide that illustrates the importance of education data and the efforts underway to make data more actionable (*Data Quality Campaign*).
- [Who Uses Student Data? Infographic](#) and [Video \(2:31min\)](#) describe the important reasons data are collected, and how student data are—and are not—accessed and used. (*Data Quality Campaign*)
- [A Stoplight for Student Data Use](#) summarizes the main provisions of FERPA and related regulations, including when a student’s personally identifiable information may be securely shared under the law (*Data Quality Campaign*).

#### **2. What is FERPA?**

The [Family Educational Rights and Privacy Act](#) is the federal law that protects the privacy of student education records. FERPA describes the strict conditions in which student records can be disclosed without consent.

FERPA permits providing education data to specified officials with a legitimate education interest, for audit or evaluation purposes, and for conducting certain studies for or on behalf of a school.

**3. How can I learn more about FERPA, the Family Educational Rights and Privacy Act?**

You can read the FERPA law here: [The Family Education Rights and Privacy Act \(Title 34 Part 99\)](#) (*Electronic Code of Federal Regulations/U.S. Government Printing Office*).

The [Privacy Technical Assistance Center](#) is a valuable resource for families and education stakeholders to learn about data privacy, confidentiality, and security practices related to student-level longitudinal data systems and other uses of student data (*U.S. Department of Education*).

The Student Privacy Policy Office offers FERPA General Guidance for [Parents](#) or [Students](#) (*U.S. Department of Education*).

**4. Why does the state collect education data?**

We need data to assess whether our education system is working. Without data, there's no way to do that.

- We collect education data for *funding*. School aid dollars are paid out based on the number of students enrolled in a school, and many federally funded programs are based on the number of students who meet certain criteria. Roughly \$12 billion is paid out annually to schools based on the data we collect.
- We collect education data for the sake of *accountability*: Are our students learning? Are our schools meeting the educational needs of all students equally? Are they in compliance with education laws?
- We collect education data for the sake of *transparency*: How are our education tax dollars being used?
- We collect education data to inform efforts that can *improve student success*: What policies and programs are most helpful in preparing our students for college and successful careers?

**5. I heard that when Common Core State Standards are implemented, there will be a national database with private student information. Is this true?**

No, there is not a national database with private student information. CEPI does not share individual level data with the federal government.

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**CEPI DATA COLLECTIONS**

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**6. Who is in charge of the collections?**

The Center for Educational Performance and Information is the agency tasked with collecting Michigan's education data. To do this best, we engage several stakeholder and advisory groups who provide input on our data collection, connection and dissemination activities.

**7. What role does CEPI play in data collection?**

CEPI was established under state law ([State School Aid Act of 1979 388.1694a](#)) to, in part, coordinate efficient, secure, and accurate education data collection.

CEPI facilitates and streamlines the data collections using a set of secure electronic applications. Schools submit data using these tools, such as the Michigan Student Data System, Registry of Education Personnel, Financial Information Database, and others. [The CEPI website has details about each of these collections.](#)

To safeguard student privacy, CEPI assigns a Unique Identification Code when a student first attends a public school or college. The UIC enables powerful analysis of student success factors as they go from level to level and school to school, but the analysis can be done without personal information about the student.

## **8. Who submits data to CEPI?**

Michigan's public K-12 school districts and intermediate school districts, providers of the Great Start Readiness Program (state preschool), as well as all public and some independent colleges and universities submit education data to CEPI.

## **9. What data does CEPI collect?**

CEPI collects educational data from Michigan's preschools, elementary schools, secondary schools and postsecondary institutions. The collections include student data like gender and race, program participation (English language learner, disabled, special education or homeless), and attendance. School information is collected such as finances and expulsions. And we collect information about educators such as credentials and the courses they teach. Student and teacher information is collected using unique codes to safeguard privacy.

Specific details about each data element collected are available on the [CEPI website](#), where we provide resources for school personnel who submit the data.

[How Your Data Are Used](#) includes matrices that list each element and how the data collected support federal and state reporting requirements.

Each of the [collection applications](#) (MSDS, REP, SID, FID, EEM) provide manuals and other resources that define each data element, cite the applicable law, and describe the business rules for reporting the data.

- CEPI does NOT collect data that don't meet requirements of state or federal law.
- CEPI does NOT collect a student's or parent or guardian's beliefs or practices on issues such as sex, family life, morality, religion or politics.
- CEPI does NOT collect political, voting, family financial, biometric or medical records, including information on a students' psychological or emotional state.

## **10. Does CEPI collect teacher data?**

We do collect some information about PK-12 staff, like their credentials, what they teach, and longevity within the school district. For details, see CEPI's [Registry of Education Personnel web page](#).

Though federal and state privacy laws only protect student information, CEPI treats educator data with the same care. Just like students, we assign a unique code when the educator first begins work in a public school. This code is used for storing the information, for matching against other data sets, and for disseminating the information.

### **11. What are the Common Education Data Standards?**

The [Common Education Data Standards](#) initiative helps education institutions use the same set of definitions for data, so that when data elements are compared and interpreted across states or institutions, they are being compared against similar data elements.

Say, for example, a researcher wants to study online learning trends and effects. To one school, “online learning” might mean the student is logging in to a course taught by one of the school’s teachers. To another, that’s called “distance learning,” and online learning means the student is enrolled in a virtual course at another institution. Using standard definitions for data elements reduces the risk of invalidating the study.

We collect relatively few of the data elements defined in CEDS; however, our collections do align with the definitions provided by the CEDS model.

### **12. What are examples of data that are NOT collected?**

Michigan’s preschools, elementary schools, secondary schools and postsecondary institutions collect a lot of information about students that is necessary for the day-to-day operations of the school that are never submitted to the state.

- CEPI does NOT collect data that don’t meet requirements of state or federal law.
- CEPI does NOT collect a student’s or parent or guardian’s beliefs or practices on issues such as sex, family life, morality, religion or politics.
- CEPI does NOT collect political, voting, family financial, biometric or medical records, including information on a students’ psychological or emotional state.

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## **CEPI DATA SYSTEMS**

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### **13. What does CEPI do with the data it collects?**

CEPI stores year-to-year data in a common data structure called a *longitudinal data system*, which joins and securely stores data from multiple sources.

CEPI is charged by the state legislature with securely creating, maintaining, and enhancing Michigan’s Statewide Longitudinal Data System.

### **14. What is the Michigan Statewide Longitudinal Data System?**

Put simply, a longitudinal data system is a data system that (1) stores and maintains detailed, high quality, student- and staff-level data and aggregate data; (2) links these data across entities and over time, providing an academic and performance history for each student, educator or entity; and (3) makes these data accessible, at appropriate levels of detail, through reporting and analysis tools.

The MSLDS lets us connect data in powerful ways—grade to grade, school to school, level to level. It lets us connect seemingly disparate data like school finance, test scores, teacher credentials, student gender and race, courses taken and grades earned, school graduation rates, college enrollment, school lunch eligibility, career and tech programs, special education and gifted program participation. These connections, which span from early childhood into the workforce, help ensure the state’s education system is meeting the needs of all Michigan students. And they help evaluators see which policies and programs work.

CEPI is charged with building, maintaining, and enhancing the MSLDS. We're also dedicated to making MSLDS data available to the public, education community, policymakers, and researchers in a FERPA-compliant manner to support sound education decisions while safeguarding student privacy.

**15. Does CEPI share data from the MSLDS?**

In all cases, FERPA guides if, how, with whom, and when we share the data. When data is needed for public accountability and transparency, to inform education policy or to comply with a required law, we release the least amount of detailed information possible.

**16. How does the MSLDS link to early childhood programs?**

Certain early childhood programs, such as Great Start Readiness Program, are collected in our student data application, and the data are stored in the MSLDS. These students are given a unique identification code just as the PK-12 students are. This UIC remains consistent throughout the student's education career to enable future analysis on the effectiveness of these programs.

**17. How does the MSLDS link to workforce programs?**

Connecting education data with workforce data helps us identify how well we're preparing our students for productive careers, and for careers favored for today's job market. The Department of Labor Economic Opportunity's Talent Investment Agency oversees a longitudinal data system for workforce information, similar to the MSLDS. CEPI worked closely with the leaders of this project as they built the system so future data exchanges are seamless and secure. Unique identification codes were assigned to all persons who have been through workforce training programs, so that data can be aggregated and studied to determine the impact of these programs on things like college enrollment and wage earnings. Visit LEO's website to learn more about the [Michigan Workforce Longitudinal Data System](#).

**18. Is personally identifiable information stored in the MSLDS?**

No, CEPI deliberately made the decision not to store names in the MSLDS. Instead, a unique code is used to prevent being able to identify an individual student (called a unique identification code, or UIC).

**19. Who has access to the MSLDS?**

The MSLDS is not something anyone can just log into or access.

The only people with access are those in the state's employ who are tasked with loading data into the MSLDS, performing data custodial tasks, and extracting the data to create reports that nurture and support important education data uses. Department of Education staff who use the data for decision making have access to some parts of the system.

CEPI keeps tight control on who gets what information, how they receive it, and under what terms and conditions. Access is only granted based on justification that is FERPA compliant, with signatures from both the requestor and their office director. Requests are reviewed by both MDE and CEPI personnel with a final sign-off from CEPI's Chief Privacy Officer. When a person no longer performs critical functions, access is immediately removed. An annual review of access rights is also performed.

## DEFINITIONS

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### **20. What is accountability?**

Taxpayers have a right to know if their government and educational institutions are meeting expectations. Some expectations are fundamental, like a child should be ready for college or career upon graduation from high school. Some are defined by federal or state laws, like the Every Student Succeeds Act [No Child Left Behind Act](#) or the [Individual with Disabilities Education Act](#). Data holds us accountable by showing whether expectations and laws are being met.

### **21. What is aggregate data?**

*Aggregate* data are information about groups of students with no identifying information and where reasonable methods have been taken to protect student privacy. An example of aggregated data is the average ACT scores of all Michigan 11th grade students.

### **22. What is cell suppression?**

The smaller the group size, the greater the chance of being able to identify an individual student. A “cell” refers to table or spreadsheet data, and “suppression” means we hide small numbers to protect privacy.

### **23. What is meant by confidentiality?**

Confidentiality is the obligation of an authorized person with access to another individual's PII not to share it without consent. CEPI works to ensure those with access to education data understand their ethical and legal obligation to keep records confidential.

### **24. What is de-identified data?**

*De-identified* means removing personally identifiable information from a record. Data about an individual student with identifying information removed (thereby minimizing the risk of identifying who the record pertains to) are considered de-identified data.

### **25. What is Personally Identifiable Information?**

*PII* is information that can be used to identify an individual. Examples include a person's name, birth date and address.

### **26. What is meant by privacy?**

Privacy is an individual's right to have their personal information kept private.

CEPI takes privacy concerns very seriously while balancing the need for making data available so parents, educators, and policymakers can make sound decisions that improve student success in our state.

### **27. What is meant by security?**

Security refers to the policies and practices implemented at the state, district, and school levels to ensure data are kept safe from corruption and that access is limited and appropriate.

CEPI and the state of Michigan have policies and practices that require a vigilant focus on data security. Refer to your local school or college for their security policies and practices.

**28. What is transparency?**

Our government and educational institutions are supported by taxpayers. Transparency means giving taxpayers a clear way of understanding what we are doing, how we are performing, and how their tax dollars are being spent. We are committed to providing accessible and transparent data to the citizens of Michigan.

**29. What is a UIC? PIC? RIC?**

Unique identification codes assigned to students, personnel, and researcher files to protect personally identifiable information. Storing and sharing data using unique codes lets us understand the factors of a student's success as he or she progresses through the education system, without needing to know who the student is.

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**DATA SAFEGUARDS**

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**30. How do I know my child's information is safe? Or my own education record, for that matter?**

CEPI takes privacy, confidentiality, and security very seriously. Our leaders in state government share this commitment.

We make sure confidential data is only released to persons who have a legitimate need and a complete understanding of the ethical and legal obligation to safeguard the information.

We follow best practices for keeping data secure, such as encryption and de-identification.

If you still have questions or concerns after reading these FAQs and the [CEPI Privacy and Security Policy](#), please contact our customer support team at [cepi@michigan.gov](mailto:cepi@michigan.gov) or 517-335-0505 x3.

**31. How does CEPI keep personally identifiable information confidential?**

CEPI employs many FERPA-aligned strategies and tools to protect student confidentiality. Some of the methods we use:

- **UIC.** A Unique Identification Code, assigned to each student when they begin public school, is used to collect, store, connect, and share student data. This supports powerful analysis without identifying any student. The UIC lets us follow students through various transition points in their educational lifecycles, including transfers across schools and into college.
- **PIC.** Like the UIC, the Personnel Identification Code is a unique identifier for education personnel. This lets us link teachers to schools, courses, and students while protecting privacy.
- **RIC.** For further protection of individual level data during research for audit and evaluation purposes, a researcher identification code is used in place of the UIC. This code cannot be matched back to personally identifiable information without a crosswalk to the UIC, which is heavily protected and secured.
- **FERPA compliance.** All persons given access to confidential data must understand and agree to comply with the [Family Educational Rights and Privacy Act](#) and related

laws. This is required of anyone submitting data to CEPI, receiving data from CEPI, or having access to data in the course of their job duties.

- **FERPA training.** CEPI staff members are required to participate in FERPA and security training before being granted access to data.
- **Strict research guidelines.** Researchers evaluating Michigan education policies must go through a rigorous review and approval process before any data is provided. Any research requests involving student data are reviewed to ensure compliance with FERPA. At the end of a research project, CEPI ensures that the data used are destroyed in accordance with FERPA.
- **Cell suppression.** When a public report will display a group of fewer than 10 students, subgroups less than 5 percent, or subgroups greater than 95 percent, we don't show the number in a graph or a spreadsheet cell. That reduces the risk of identifying an individual student.
- **Restricted access.** Certain data and reports are only accessible to education personnel who have been authorized by their institution to view their institution's data.

### **32. What measures are taken to keep the data secure?**

Personally identifiable information collected and used operationally are encrypted in transit as well as at rest.

For storage and transmission, we follow state of Michigan protocols to protect records from loss, theft, vandalism, illegal access and corruption. CEPI data are hosted on a secure platform that provides the highest level of security along with backup and disaster recovery capability. We also use automatic encryption and secure socket layering during data transmissions.

In addition, we follow the state's Records Management Services guidelines regarding [Record Retention and Disposal](#) for local governments and public schools.

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## **RESTRICTED ACCESS TO DATA**

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### **33. Who has access to the data CEPI collects?**

CEPI shares aggregate data widely, in support of accountability and transparency. Non-suppressed and individual level data are shared on a right-to-know, need-to-know basis in a FERPA compliant manner.

- **The public.** [MI School Data](#) provides many public reports so citizens can see how Michigan's schools and students are doing. (See FAQ #34.)
- **Educators.** Those in the education community who have a legitimate educational interest may be granted access to their education agency's non-suppressed aggregate and individual-level data. (See FAQ #35.)
- **Researchers.** Qualified researchers evaluating or auditing Michigan education programs, policies and outcomes may be granted access to student-level data. (See FAQ #36.)
- **Certain state agencies.** Formal data sharing agreements are in place with state departments such as Education, Treasury, Human Services, and Workforce Development Agency for purposes authorized under FERPA. Examples are special programs evaluation, scholarship or free lunch eligibility, and career readiness initiatives. (See FAQ #37.)

- **Staff, contractors.** Certain CEPI, Department of Education, and Information Technology staff have access to the data system, as well as vendors and experts contracted to support the system. (See FAQ #40.)

CEPI does NOT share student-level data with federal or state lawmakers.

CEPI does NOT share student data for marketing or commercial purposes, nor do we sell any data.

### **34. What information is provided to the public, and how is PII protected?**

CEPI provides a myriad of reports and metrics via [MI School Data](#).

PII is not released to the public. Public reports use what's known as *cell suppression*. Whenever a group results in fewer than 10, less than 5 percent, or greater than 95 percent, the data won't be displayed in a graph or a spreadsheet cell.

For example, Justin wants to know how his son's ACT score compares to the rest of his class. It's a small school with just 50 students in the 11th grade, and Justin can use settings that break down test scores by race. Several of the race/ethnicity categories in the report display <10, rather than an actual count, so that Justin can't figure out any particular student's test score.

### **35. What information is provided to the education community, and how is PII protected?**

CEPI has many powerful reports that can help educators and administrators understand where to focus their efforts to help all students succeed. But reports with student-level data are only accessible to those who have been granted secure login by their schools, and the data is limited to only the students in their schools.

All of the CEPI data collection and reporting applications are only available for login by the school's authorized users, and authorization requires sign-off by the school's lead administrator. Because the data being submitted and certified to the state are on behalf of the lead administrator, this access is something that we expect is taken very seriously at the local level as well as at the state. CEPI provides a list of authorized users to the lead administrator twice a year to ensure their authorized user list remains current.

### **36. What information is provided to researchers, and how is PII protected?**

One of CEPI's mandates is to facilitate research that informs Michigan education policies. We do this by partnering with the Department of Education, the University of Michigan and Michigan State University on [Michigan's Education Research Institute](#), a statewide research collaborative. With MDE, we promote strategic research, assemble research consortiums, establish guidelines and standards, review proposals, monitor research progress, and disseminate results.

Research teams must apply and their proposals must meet rigorous standards before any data is provided. They must comply with strict data storage, usage, reporting and disposal rules.

### **37. What information is shared with other state agencies, and how is PII protected?**

Examples where we receive data *from* other state program areas are:

- **Michigan Department of Human Services.** By matching student enrollment records against DHS records of families receiving public assistance, we're able to let schools know which students are automatically eligible for free or reduced-price meals. This saves schools, families and agencies from cumbersome paperwork, and also ensures that kids are fed and ready to learn.
- **Michigan Department of Education.** MDE stores its assessment and accountability data in the MSLDS along with data from its Career and Technical Education Information System and the Migrant Education Data System.

Examples where we provide limited data to other state program areas are:

- **Michigan Department of Education.** MDE staff members evaluate Michigan's education policies and programs, such as Special Education and homeless programs.
- **Michigan Department of Treasury.** Treasury receives data on postsecondary progression and completion in order to evaluate the performance of state scholarship and grants programs.
- **Michigan Workforce Development Agency.** To truly understand if Michigan students are career and college ready, and which policies lead to greatest student success, we need to connect with workforce data. Are they unemployed or gainfully employed? Are our career and technical skills programs meeting employer needs and in line with employment forecasts?

Before any data are exchanged, a formal data sharing agreement or memorandum of understanding is established to ensure compliance with all laws governing the data. Only the minimal data that are required for the program evaluation or audit are shared. And whenever individual-level data are shared, we de-identify by removing personally identifiable information, exchanging only using identification codes.

### **38. How does CEPI securely match or link data across systems?**

When it is necessary to connect education records with non-education records, CEPI obtains basic core fields from the other system for matching. The core fields include first name, last name, date of birth, and gender; additional "helper" fields may be used such as middle name or initial if available. This linking process does not automatically mean education records are being passed back to another agency; it only means that if there is a need to evaluate an educational program, we now have the link in place to do so.

In addition, encryption is used when transferring data between systems.

### **39. What information is provided to the federal government, and how is PII protected?**

The U.S. Department of Education requires a series of aggregate or summary reports (overall counts) that do not include individual student scores or any way to identify individual students. The [EdFacts website](#) provides details on what is collected and why.

CEPI does NOT provide any PII to the federal government nor to any legislators, federal or state. This would be a violation of FERPA law.

(It should be noted that the Michigan Department of Education does participate in the federally funded [Migrant Student Information Exchange](#), which allows states to share educational and health information on migrant children who travel from state to state to ensure the appropriate enrollment, placement, and accrual of credits for migrant children.)

**40. Do any vendors or contractors have access to confidential data? How does CEPI safeguard this information?**

The state of Michigan, CEPI, and the Department of Technology, Management and Budget may use vendors or contractors to assist with data technology projects. Those who contract with the state must sign security agreements that require them to be aware of and follow state and federal policies (IT, encryption, security) governing work with sensitive data, and attest that they have read and understand FERPA.

**41. Is student data shared (or sold) to entities that want to market or sell products?**

No. We do NOT share or sell any individual level student data with any person or organization seeking to promote their products or services.

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**DATA GOVERNANCE**

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**42. What laws govern the privacy of student education records?**

The primary law that protects student privacy interests is the [Family Educational Rights and Privacy Act](#). This federal law describes circumstances under which schools, CEPI and other state agencies can release student data without student or parental consent.

Additional federal laws related to privacy are:

- [Richard B. Russell National School Lunch Act](#). Restricts who may have access to records on students who are eligible for free and reduced-price meals.
- [Privacy Act of 1974, Sect 7\(e\)](#). Addresses the use of social security numbers by federal, state, or local governments.
- [Children’s Online Privacy Protection Act of 1998](#). Protects privacy of children using the internet.
- [Protection of Pupil Rights Amendment](#). Gives parents rights to inspect and approve surveys, analyses, or evaluations administered to students, if they reveal certain information such as political or religious affiliations, income, psychological issues.
- In Michigan, the Identity Theft Protection Act (Act 452 of 2004) relates to data security and privacy. [Section 445.72a](#) pertains to the secure disposal of data; and [Section 445.63](#) defines personal information and personal identifying information.

CEPI adheres strictly to these laws, and requires anyone granted access to confidential data to comply with their provisions.

**43. As a parent, can I request that no data about my child be released to any person or entity?**

The [Family Educational Rights and Privacy Act](#) explains your rights with respect to your child’s education records.

The law allows you to “opt out,” preventing your child’s school from sharing directory information such as name and address. However, choosing to opt out has no bearing on the data schools are legally required to submit to the state.

**44. Who oversees CEPI privacy practices?**

CEPI's privacy practices are overseen by a designated CEPI Chief Privacy Officer who ensures anyone with access to student data understands and follows the [Family Educational Rights and Privacy Act](#) and related laws.

In addition, the Chief Privacy Officer ensures our security and privacy policies and procedures remain relevant and current; conducts FERPA training and refresher training; provides data confidentiality guidance and resources to schools; and engages in national, state, and local data use discussions.

**45. What kind of governance is in place to ensure the right data is collected, and there are sound policies for sharing, protecting, and accessing this information?**

CEPI's P-20 Longitudinal Data System Advisory Council serves in an advisory and oversight capacity. Several other [CEPI Governance and Partner Groups](#) provide expertise and advice on our activities. The CEPI Chief Privacy Officer monitors and enforces our student data privacy practices.

**46. What other resources talk about the importance of collecting, sharing and using educational data while helping to maintain privacy?**

- [CEPI Privacy and Security Policy](#)
- [Family Educational Rights and Privacy Act](#)
- [Data: The Missing Piece to Improving Student Achievement](#) is a short interactive guide that illustrates the importance of education data and the efforts underway to make data more actionable (Data Quality Campaign).
- [Who Uses Student Data? Infographic](#) or [Video \(2:31min\)](#) describes the important reasons data are collected, and how student data are—and are not—accessed and used. (Data Quality Campaign)
- [A Stoplight for Student Data Use](#) summarizes the main provisions of FERPA and related regulations, including when a student's personally identifiable information may be securely shared under the law (Data Quality Campaign).
- [Traveling Through Time: The Forum Guide to Longitudinal Data Systems](#). What an LDS is (and what it is not), and why such a system is of value in education.

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