

## **Fordham Study Shows Lax Privacy Protection in K-12 Student Records**

*(DataBank's SAS70 Type II certified environments help address these concerns)*

*By Susan Hattan, NAICU - 11/10/09*

A report released in late October by the Fordham University Center on Law and Information Policy paints a disturbing picture of the back-seat consideration given to privacy and security issues in state elementary and secondary school reporting systems. The report arrives in the midst of several efforts at the federal level to encourage the development and expansion of statewide longitudinal data systems.

In their review of data collection activities in all 50 states, the Fordham researchers concluded that basic privacy protections were lacking in the majority of states. In addition, most states are collecting more information than necessary to meet program requirements, with much of this information included in non-anonymous student records.

The report makes eight specific recommendations designed to improve the privacy and accountability of these databases. Among them is the suggestion that data collection at the state level be limited and tied directly to specified audit or evaluation purposes. In addition, noting that this information is often held indefinitely, the report recommends that clear data retention policies be instituted and enforced. The report also recommends that stronger steps be taken to assure the data is anonymous, and that each state should have a chief privacy officer to oversee compliance with privacy protections.

The Department of Education is aggressively encouraging the development and expansion of statewide longitudinal data systems through its "Race to the Top" funding competition. Higher education legislation approved by the House of Representatives in September also includes additional funding sources for such systems, which would supplement the approximately \$500 million in federal funds already provided for this purpose. In addition, there are major efforts underway to link education records with other databases containing information relating to things such as workforce, juvenile justice, and pre-K records.

Privacy considerations have not been emphasized in these discussions to date, but the attention the Fordham study is receiving in Washington may alter that situation.