Checklist for PTAC Review of LEA Websites for Privacy and Transparency of District Data Practices

Notifications

☐ Does the district post its Annual Notice of FERPA Rights on the website?

  • What is the URL? _____

☐ Does the district post its annual notice on the website?

☐ Is the district's notice a copy/minor variant of the ED Model Notice?

☐ Is the district's notice a custom notice (or substantial modification of ED's model notice)?

  If it is a custom notice, does it include:

  ☐ Right to inspect and review their education records?

  ☐ The right to seek to amend those records?

  ☐ The right to consent to disclosure of PII from those records (unless an exception applies)?

  ☐ The right to file a complaint with the Department regarding an alleged FERPA violation?

  ☐ The procedure for exercising the right to inspect and review education records?

  ☐ The procedure for requesting amendment of those records?

  ☐ The district's criteria for determining who constitutes a "school official" ?

    ☐ If so, does that definition specifically mention ed tech providers?

    ☐ If so, do the district's criteria for determining what constitutes a "legitimate educational interest."?

☐ Does the district notify that it routinely discloses students' education records to other schools in which the student seeks or intends to enroll?

Directory Information

☐ Does the District post its directory information policy on the website?

  • What is the URL? _____

☐ Is the district's policy a copy/minor variant of the ED Model policy?

  If it is a custom notice or substantial modification of ED's model policy):

  ☐ Does it specify the types of PII that the district or school has designated as directory information?

  ☐ Does it include an explanation of the right of parents and eligible students to request that the information about the student not be disclosed as directory information?

☐ Does it indicate a specified period of time within which a parent or eligible student may notify the school or LEA in writing that they do not want any or all of the information disclosed as directory information?

☐ Does the policy identify specific data elements (as opposed to categories of data)?

☐ Does it include photos?

☐ Does it include videos?

☐ Does the district have a Limited Directory Information policy?

☐ Does the policy limit the recipients of DI?

☐ Does the policy limit the purposes/uses?

Protection of Pupil Rights Act

☐ Does the district provide parents with notice of those policies and their rights under PPRA at least annually?

• What is the URL?⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯

State Specific Privacy Laws

☐ Does the district provide parents with notice of any applicable State privacy laws and their rights under those laws at least annually?

• What is the URL?⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯

Data Practices

☐ Does the site include a Data inventory listing information collected from or about students?

• What is the URL?⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯

☐ Does the inventory list include specific categories of data?

☐ Does the list identify and define specific data elements?

☐ Does the inventory identify the purpose for the data being collected, and/or how the data are used?

☐ Is plain language used in descriptions?

Data Security

☐ Does the site include a description of IT security and data protection policies?

   • What is the URL?_____

☐ Does the policy cover paper records?

☐ Does the policy cover digital information?

Description of PII policies

☐ Does the PII policy cover access to PII?

☐ Does the PII policy cover acceptable/appropriate uses of PII?

☐ Does the district describe their record retention policies? (What data, how long, in what form, etc.)

☐ Does the site include data publication suppression policies?

Data Security

☐ Does the site include a description of data sharing policies?

   • What is the URL?_____

☐ Is student PII shared with third parties?

   ☐ If yes, does the site list all entities and purposes separately?

☐ Is PII shared with external researchers? Purpose? _____

☐ Are written agreements with researchers available?

☐ Are any study results available?

☐ Are any resulting changes to curriculum, policies, or programs listed?

☐ Is PII shared with ed tech companies? Purpose? _____

☐ Are contracts disclosing students' PII posted online?

☐ Are MOUs for students' PII posted?

☐ List of online services or "apps" used in classroom: _____

_____

☐ Process for vetting/approving apps: _____

_____

☐ Differentiation between required and optional apps?_____

Communications

☐ Does the website include contact information if parents have questions/comments/ suggestions about district data sharing and student privacy policies?

    • What is the URL?_____

☐ Does the website consolidate information about data practices & privacy protections into a single page/section of the website?

☐ Does the website clearly label the data practices/student privacy section?

☐ Is the data practices/student privacy section accessible with <2 clicks?

☐ Is a search tool present on site?

☐ Does a search for "student privacy" lead to this information? (specify in comments)

☐ Does a search for "directory information" lead to DI policy?

☐ Does the website include a glossary with definitions & links to relevant privacy laws, regulations, or policies?

☐ Is the site accessible to persons with disabilities?

☐ Are language translations available?

    • Which languages? _____

    • Are all documents translated? _____

    • Only key documents? (Specify) _____

    _____