

# Ensuring Student Privacy in Public Reporting

September 19, 2023

## Background

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy rights of parents and students regarding education records maintained by educational agencies and institutions that receive funds under a program administered by the Department of Education. The Protection of Pupil Rights Amendment (PPRA) affords parents and students with rights concerning certain state and local educational agencies marketing activities, the administration or distribution of certain surveys to students, the administration of certain physical examinations or screenings to students, and parental access to certain instructional materials.

The Student Privacy Policy Office (SPPO) at the U.S. Department of Education (Department) provides annual notification to State educational agencies (SEAs) and local educational agencies (LEAs) regarding the educational agencies' obligations under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) and the Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98).

## Regulations

- [FERPA 34 CFR PART 99—FAMILY EDUCATIONAL RIGHTS AND PRIVACY](#)
- [PPRA 34 CFR PART 98—PROTECTION OF PUPIL RIGHTS AMENDMENT](#)

To abide by the regulation outlined in FERPA and protect individually identifiable student data, Office of Superintendent of Public Instruction (OSPI) uses a variety of techniques recommended by the Privacy Technical Assistance Center (PTAC) at the US Department of Education. The techniques apply a series of calculations that suppress or blur the aggregated student data connected to outcomes, student demographics, or program characteristics. This includes public reporting on student assessment results, graduation rates, student growth percentiles, and measures of school quality and student success. The methods used by OSPI are designed to provide the most detailed data possible while simultaneously prioritizing student privacy protection.

The remainder of this document describes the disclosure avoidance techniques used by the OSPI Office of Student Information to protect student data across multiple measures and explains how the redacted data is displayed on the State Report Card. We begin with a set of definitions relevant to the data described within each technique.



## Definitions

**Cell:** the numerical representation(s) of a disaggregated row of data. The more disaggregation layers that are added to a set of data (such as school, grade, course, etc.), the more cells are produced and the smaller the numbers within each cell become (also referred to as cell size).

**Denominator:** the total number of students within a student group (e.g., 100 female students).

**Numerator:** the total number of students who met an outcome from the denominator within a student group (e.g., 90 graduates of 100 female students).

**Group:** the demographic or characteristic associated to a student, which is the basis for the aggregated counts of numerators and denominators (e.g., female students).

**Percentage:** the value that results when the numerator is divided by the denominator in a group, also referred to as outcome (e.g.,  $90/100 = 90\%$  graduation percentage for female students).

## Disclosure Avoidance Techniques (DAT)

### N < 10

Any student group that has fewer than 10 students in the denominator. To protect against the possibility of identifying a student at the individual level, in this scenario the numerator, denominator, and outcome rate are not disclosed in public reporting. For the student group "foster care," all cells less than 10 are redacted, even if the denominator is 10 or greater.

Figure 1 shows an example of what N < 10 looks like in the Report Card.

Two or More Races	N < 10
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Figure 1

### Top-Bottom Range

The purpose of the top-bottom range is to protect against the possibility of revealing identifiable information when an outcome or group membership in a special population is at, or near, either 0% or 100%. When the percentage for a student group exceeds a specified threshold, a cap is applied to the outcome report and the numerator is not disclosed.

To prevent the ability to backtrack or derive protected information, there is a randomness factor introduced into the Top-Bottom Range DAT. Fifty (50) percent of the top and bottom range records are randomly selected to have their denominator increased by one. This does not meaningfully impact the rates presented since it keeps the true rate within the displayed range.

Figure 2 shows an example of what the Bottom Range would look like in the Report Card.



Figure 2

### Within Group

For student demographic or characteristics where the group values are binary, if one group is not disclosed (for any reason), the complimentary group is also not disclosed. This process ensures that the information of the complimentary group cannot be combined with the total number from another publicly available source to identify information within the group that has not been disclosed. In non-binary groups (such Federal race/ethnicity), if the sum of denominators for a not disclosed student groups does not exceed 10, then the next largest group will also not be disclosed until the sum equals or exceeds 10 students.

Figure 3 shows an example of DAT applied within the Foster Care group on the Report Card.



Figure 3

### Cross Grade/School/District

In cases where there is an "All" group (e.g., All Grades, All District) cross group DATs are also applied within student groups. For example, if the 3<sup>rd</sup> grade English Learner (EL) student group must not be disclosed due to the rules within N<10 or Top-Bottom Range, the next largest group of EL students (by grade level) is also not disclosed. If a school's All Grades EL students record is not disclosed, the next largest school in the district is also not disclosed.

Figure 4 shows an example of Cross Grade Level DAT within a data.wa.gov file.



Figure 4