



219 North Main Street, Suite 402
Barre, VT 05641 (p) 802-479-1030 | (f) 802-479-1835

Vermont Agency of Education Protection of Confidential information Policies

Approved by the State Board of Education September, 19, 2008

Policy Title

Data Suppression Policy for Student Information

Purpose

The purpose of the policy is to ensure the protection of confidential student information when disseminating information about our schools and students.

Scope

This policy applies to all reports which are generated by the Vermont Agency of Education (hereinafter referred to as VT AOE) and/or by VT AOE's contractors and/or by third parties working on VT AOE's behalf.

Policy

VT AOE will suppress aggregate student counts of less than 11 under the following circumstances:

- Counts which include sensitive information which is coupled with personally identifiable information;
- When the report will be released to an audience which includes recipients other than data owners, staff, or others who have a legal right to access data.
- Note: The disclosure of any confidential information to individuals who need that information, and who are entitled by law to receive that information, shall only be disclosed with the clear direction that its re-disclosure to anyone who is not entitled to receive that information under state and/or federal law, is prohibited.

VT AOE will also suppress aggregate student counts of confidential information when the number of students in a group is 100% of all students, or the number of students in a suppressed cell can be derived from existing information.

Definitions

"Personally identifiable information" is information which alone, or in combination with other information, is linked, or is linkable, to a specific student, and which would thereby allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

"Sensitive information" is any information which is protected under federal and/or state statute.

“Confidential information” is any information which is both “sensitive information” and “personally identifiable information”.

Classification of Information

The VT AOE’s Information Technology Team will be responsible for classifying data as “personally identifiable information” and/or “sensitive information” and/or “confidential information”.

Policy Title

Conditions and Approval Process for Third Party Research on Behalf of VT AOE

Purpose

The purpose of this policy is to establish a standard process for third party researchers to access data for educational research on behalf of VT AOE.

Scope

This policy applies to all education research studies which are conducted on behalf of VT AOE. However, this policy, standing alone, is not sufficient in the case of work which is conducted with VT AOE data, when the VT AOE data is released to individuals and/or entities other than VT AOE, for use off-site, as under such circumstances, significant additional protections, which must be included in the involved contract, are necessary.

Policy

The VT AOE may allow third party researchers to conduct education research on behalf of VT AOE. Such research may be authorized by the Secretary, or by the Secretary's designee. As a condition of the granting of that authorization, a written contract must be executed between the VT AOE and the party responsible for the research.

Research which includes the analysis of personally identifiable student-level information which is also classified as sensitive must first be de-identified by VT AOE staff. All analysis of student-level data must take place on a VT AOE network. Personally identifiable student information may not be removed from the VT AOE network.

Other conditions which may be reasonably necessary to protect confidential information may be required by the Secretary, or by the Secretary's designee.

Definitions

"De-identified information" is data which has had student names removed, has had the statewide unique identifier scrambled, and has been further redacted as necessary so that it is no longer "personally identifiable information".

"Personally identifiable information" is information which alone, or in combination with other information, is linked, or is linkable, to a specific student, and which would thereby allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

"Sensitive information" is any information which is protected under federal and/or state statute.

"Confidential information" is any information which is both "sensitive information" and "personally identifiable information".

Classification of Information

The VT AOE's Information Technology Team will be responsible for classifying data as "personally identifiable information" and/or "sensitive information" and/or "confidential information".

Policy Title

Conditions and Approval Process for Contracts and Grants that Result in Contractor or Grantee Possession of Student Information in Electronic Format

Purpose

The purpose of this policy is to outline the minimum requirements for VT AOE-issued contracts or grants which will result in the Contractor or Grantee obtaining possession of confidential student information in electronic format.

Scope

This policy applies to all contracts and grants issued by VT AOE.

Policy

The VT AOE may enter into contract or issue grants which result in contractor or grantee possession of confidential student information in electronic format. Authorization of such contracts and grants shall be approved by the Secretary, or the Secretary's designee. Once approved, the contract or grant process must include the following:

- A description of the appropriate and allowable uses of the information;
- The scope of the information which will be permitted to be in the possession of the Contractor or Grantee;
- Requirements for signed confidentiality agreements for all individuals having access to the system;
- Minimum information technology security requirements as deemed appropriate by the VT AOE's Information Technology Director; and
- A description of the required process for destroying or transferring the information upon the completion of the project.

Other conditions which may be deemed necessary for the protection of the confidential information may be required by the Secretary, or by the Secretary's designee.

Definitions

"De-identified information" is data which has had student names removed, has had the statewide unique identifier scrambled, and has been further redacted as necessary so that it is no longer "personally identifiable information".

"Personally identifiable information" is information which alone, or in combination with other information, is linked, or is linkable, to a specific student, and which would thereby allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

"Sensitive information" is any information which is protected under federal and/or state statute.

“Confidential information” is any information which is both “sensitive information” and “personally identifiable information”.

Classification of Information

The VT AOE’s Information Technology Team will be responsible for classifying data as “personally identifiable information” and/or “sensitive information” and/or “confidential information”.