

FERPA

**THE FAMILY EDUCATIONAL RIGHTS PRIVACY ACT OF 1974 (FERPA):
IMPLICATIONS FOR RESEARCH WITH ADMINISTRATIVE RECORDS**



PLEASE NOTE

Although the authors have made every effort to provide information that is timely and accurate, FERPA provisions are subject to change. Readers should consult their University Institutional Review Board or Human Subjects Committee for guidance before working with data regulated by FERPA.

FERPA – LEGISLATIVE HISTORY

The Family Educational Rights Privacy Act (FERPA; P.L. 93-380, § 513) was first signed into law and became effective in 1974.

FERPA governs the privacy of student records maintained by an education agency or institution.¹ It grants rights to parents and eligible students to inspect records and request corrections if information is contested. The law also governs the disclosure of student information by education institutions and agencies, requiring written consent for the release of a student's personal information, except in limited circumstances. The law applies to all education institutions and agencies that receive federal funds through the U.S. Department of Education.²

FERPA was enacted as § 438 of the General Education Provisions Act (GEPA),³ titled "Protection of the Rights and Privacy of Parents and Students" and codified as 20 U.S.C. § 1232g. Shortly after FERPA's enactment, Senators Buckley and Pell proposed major amendments to FERPA in an effort to address issues raised by the education community and concerned parents and students (P.L. 93-568).⁴ Including the Buckley/Pell Amendment, Congress has amended FERPA 12 times since its passage. Appendix A provides a timeline of these legislative revisions to FERPA and the significance of each. Throughout its legislative history, the U.S. Department of Education and Congressional leaders have identified new circumstances in which a student's information can be disclosed without parental or student consent. Additionally, they have sought to clarify definitions to keep pace with changes in education policy and technology.

FERPA PROVISIONS

Today, FERPA governs the privacy and disclosure of student records maintained by schools and other education agencies. The law seeks to balance students' right to privacy with the administrative needs of schools and education authorities.

FERPA provides parents with specific rights regarding to their children's education records. These rights transfer to the student when they reach age 18, at which point the student is designated an "eligible student." Parents and eligible students have the right to inspect and review records maintained by the education

agency or institutions. Schools must accommodate any inspection request within 45 days of receipt. Upon review, parents and eligible students have the right to request corrections to school records they feel are inaccurate. If a school declines this request, parents and eligible students have the right to a formal hearing. If, following the hearing, the school still decides not to amend the record, parents and eligible students have the right to place a statement in the record that outlines their view regarding the disputed information.

The law also governs how and when schools and education agencies may disclose information contained in student records. The law defines a set of personally identifiable information (PII) that is covered under FERPA. These identifiers include any individually identifiable information that alone or in combination could identify the student. Figure 1 provides a definition of this protected information under the law.

FIGURE 1

FERPA PERSONALLY IDENTIFIABLE INFORMATION (PII),

Includes but is not limited to:

- (a) Student name;
- (b) Name of the student's parent or other family members;
- (c) Address of the student or student's family;
- (d) A personal identifier, including social security number, student number, or biometric record;
- (e) Other indirect identifiers, including student's date of birth, place of birth, and mother's maiden name;
- (f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- (g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

(20 U.S.C. 1232g)

Under FERPA, schools must have written consent from the parent or eligible student to release any PII information in the student record. Schools must provide written notification of FERPA rights on an annual basis; however, the means of notification is at the discretion of the school (e.g., letter, email, newsletter). The notification must explain parents' or eligible



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students' right to review education records, correct inaccurate or misleading information, consent to disclosure of a student's PII, and file a complaint regarding a school's FERPA's compliance.

Schools are also required to document all individuals or organizations that have requested or obtained a student's education records and the specific reason for access. Third parties with access to student information are governed under a non-disclosure clause, without a parent or eligible student's written consent.

EXCEPTIONS TO PRIOR CONSENT RULE

FERPA includes two primary exemptions to the prior consent rule: (1) directory information and (2) allowable exceptions.

DIRECTORY INFORMATION

Schools may disclose directory information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance.⁵ Schools must, however, notify parents of their right to decline such disclosures in writing and allow sufficient time for students or parents to withdraw consent.

FERPA EXCEPTIONS

The law also allows schools to disclose PII in student records without consent under the following circumstances (34 CFR § 99.31):

- To school officials (including contractors or volunteers who act as officials) with legitimate educational interests.
- To transfer institutions.
- For audit purposes (e.g., comptroller general, attorney general, secretary of education, state and local education authorities).
- In connection with a student's receipt of financial aid.
- To state and local authorities, pursuant to state law.
- To organizations conducting studies on behalf of the school.
- To accrediting organizations.
- To parents or eligible students.
- To comply with a judicial order or lawfully issued subpoena.
- To officials in health and safety emergencies.
- To the secretary of agriculture or authorized representative

of the Food and Nutrition Service for the purposes of conducting program monitoring and evaluations.

- To an agency caseworker or other representative of a state or local child welfare agency legally responsible for the care and protection of the student.
- To the parent of a student at a postsecondary institution regarding the student's violation of any federal, state, or local law or institutional policy regarding use or possession of alcohol or a controlled substance.
- The disclosure concerns sex offenders and other individuals required to register with law enforcement.
- The disclosure is the final result of disciplinary proceedings, which can be disclosed to both a victim and an alleged perpetrator of a crime of violence or non-forcible sex offense.

When schools or education agencies are suspected of having violated FERPA regulations, the law provides a complaint process through the U.S. Department of Education's Family Policy Compliance Office.⁶

DISCLOSURE FOR RESEARCH PURPOSES

Research and evaluation of education programs typically involves large numbers of subjects spread across multiple sites (e.g., schools, cities, or states). Obtaining consent from each individual subject is often impractical given the size of the subject population and logistical hurdles (e.g., when contact information is out of date). Recognizing that access to student personal information and data contained in student records is critical for the daily administration of individual schools, and for federal, state, and local education monitoring and evaluation needs, FERPA provides a research exception to the prior consent rule.

Specifically, FERPA allows for the disclosure of PII from records by education agencies or institutes and state and local education authorities to organizations conducting studies for or on behalf of education agencies or institutions. Studies include those intended to develop, validate, or administer predictive tests; administer student aid programs; and improve instruction on the condition that certain requirements are met. Organizations include but are not limited to federal, state, and local agencies and independent organizations (34 CFR § 99.31). In disclosing



PII for research purposes, the education institution, state or local education authority, or federal agency is neither required to initiate a study nor agree with or endorse the conclusions or results of the study.

Individual schools and state and local agencies may disclose PII for research purposes only if the study does not permit personal identification of parents and students by individuals other than those conducting the study and the information is destroyed when no longer needed for study purposes. Additionally, the education institution, state or local education authority, or federal agency must enter into a written agreement with the research entity that (34 CFR § 99.31[a][6]):

- 1** Specifies the purpose, scope, and duration of the study and the information to be disclosed;
- 2** Requires the organization to use PII from education records only for the purposes of the study as stated in the written agreement;
- 3** Outlines study procedures that do not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
- 4** Outlines study procedures that include the destruction of all PII when no longer needed for the purposes of the study and specifies the time period in which the information must be destroyed.

Prior to 2011, state education authorities were restricted from redisclosing student information received from local authorities for research purposes without legal authorization to do so. However, under an amendment passed in 2011 (34 CFR § 99.35),⁷ state education authorities became able to enter into agreements with research organizations and release PII received from local agencies for research and evaluation purposes without specific permission from the localities. This change was meant to reduce administrative costs and remove barriers associated with conducting research and evaluation studies that aim to improve instruction. These modifications also were designed to support research by facilitating data linkage while still guarding against improper disclosure of students' PII.⁸

In addition to FERPA, the Protection of Pupil Rights Amendment (20 U.S.C. § 1232h; 34 CFR Part 98) also governs student privacy in research. Specifically, it regulates the use of student data in surveys, analysis, or evaluations by local education agencies that are funded by the U.S. Department of Education. It requires that schools and contractors make instructional or survey materials available to parents or participating children. Additionally, it requires that schools and contractors obtain written parental consent before minor students participate in any study that reveals several categories of sensitive information, including political affiliations; psychological problems; sexual attitudes and behavior; illegal behavior; opinions of family relationships; legally protected speech (i.e., between students and lawyers, physicians, and ministers); or information about income other than that required to determine program eligibility.

UNAUTHORIZED DISCLOSURE AVOIDANCE STRATEGIES

Under FERPA, education institutions and agencies must take precautions to guard against the unauthorized disclosure of PII from education records. Unauthorized disclosures can include data breaches of direct identifiers (PII), identification of individual students through combinations of indirect identifiers, and identification through linkage with external databases. In the research context, both schools and other agencies that disclose information and the researchers with whom data are shared must apply disclosure avoidance strategies to minimize the risk of unauthorized disclosure of PII from education records.

The U.S. Department of Education's Privacy Technical Assistance Center (PTAC)⁹ provides education stakeholders with information and technical assistance regarding these required data privacy, confidentiality, and security practices. Rather than mandate specific methods or compliance thresholds when sharing data, PTAC provides guidance on disclosure avoidance strategies. Individual state and local education institutions have the authority to determine the best strategy to employ. Ultimately, strategy selection depends on both the disclosure type and the sensitivity level of data involved (i.e., public versus protected).



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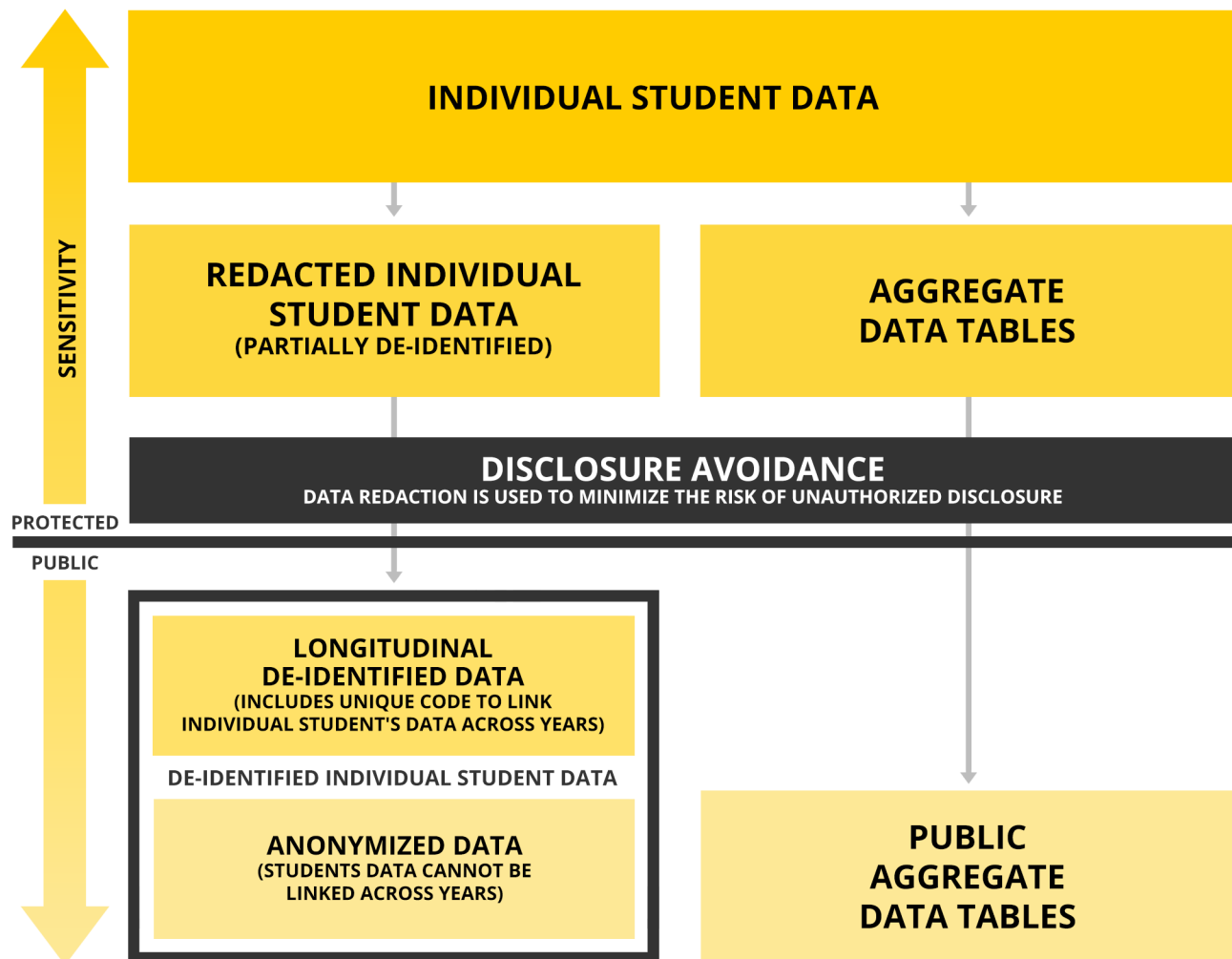
The primary method of data privacy protection is disclosure avoidance or limitation, which is a statistical technique used to minimize the risk of unauthorized disclosure of PII by cleaning the data prior to release. Reprinted from figure 2, PTAC illustrates the types of disclosure avoidance required for different data sensitivity levels.

Under FERPA, fully de-identified data may be shared publicly without the consent of any party for any purpose, including parents, general public, and researchers (34 CFR § 99.31[b][1]). Such data are typically released in the aggregated tabular form or as microdata (e.g., test results by school and grade level). Protected PII from student education records may be disclosed

for research purposes when there is legitimate educational interest or when the research is being conducted for or on behalf of the school or agency [34 CFR § 99.31[a][1][6]].

Individual-level data may be released publicly for research purposes once they have been anonymized through the creation of a unique foreign key identifier. The identifier cannot be derived from PII and all PII must be removed from the files. The identifier, however, can be created in a way that allows linkage across de-identified data files from the same source for longitudinal research purposes, as long as the researcher cannot use it to access the original data source without consent (34 CFR § 99.31[b][2]).

FIGURE 2 - DISCLOSURE AVOIDANCE



Types of data by sensitivity and need for protection from unauthorized or inadvertent disclosure.

Source: U.S. Department of Education, Privacy Technical Assistance Center.



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Even after PII has been removed, under FERPA, proper de-identification must also include removing or obscuring all identifiable information until any data that can lead to individual identification have been expunged or masked.¹⁰ Data releases should not contain indirect identifiers that may lead to the identification of individuals in small groups or those with unique characteristics. De-identification strategies should also take into account cumulative re-identification risk from previous data releases and information available from other sources (e.g., directories, etc.).

If following de-identification, the risk of disclosure persists, PTAC advises researchers to apply one or more advanced de-identification techniques, which may include:

- 1 Blurring:** Aggregating variable categories to minimize small cell sizes.
- 2 Masking or Perturbation:** Masking involves making small changes to the data to prevent identification of individuals from unique groups and introducing noise, or errors; perturbation is a statistical technique that involves swapping data among individual cells to introduce uncertainty regarding real data values.
- 3 Suppression or Redaction:** Suppression involves removing data from cells or rows in data tables to prevent the identification of individuals in small groups; redaction involves expunging sensitive data from the records prior to disclosure.

For aggregated tabular data releases, disclosure avoidance involves defining a minimum allowable cell size and controlled rounding techniques whereby the numbers in the targeted rows and columns are rounded to protect individual information, but totals remain unchanged.

RESPONSIBILITIES OF DATA RECIPIENTS

When student-level PII is required for research purposes, researchers and other organizations receiving data must take precautions to protect data security once it is under their control. This may include:

- 1** Implementing comprehensive and standardized data security policies and procedures for PII, including role-based access controls.
- 2** Ensuring that PII data cannot be disclosed to another party (other than the school or agency from which they came) and that disclosure avoidance techniques have been applied when data are de-identified for public reporting.
- 3** Data cannot be used for other purposes outside of the written agreement.
- 4** All data must be destroyed after they are no longer needed for the specific purpose for which they were disclosed and by the agreed-upon date in the written agreement.

OTHER LAWS GOVERNING EDUCATION RESEARCH WITH EDUCATION RECORDS

In addition to FERPA, several other laws regulate the use of student data from education records for research purposes. These include the Common Rule, federal protection of human subjects regulations, and the Health Insurance Portability and Accountability Act (HIPAA).

THE COMMON RULE & HUMAN SUBJECTS PROTECTIONS

The U.S. Department of Education, along with multiple federal agencies, is a signatory to the Federal Policy for the Protection of Human Subjects, also known as the Common Rule. Based on the 1979 Belmont Report, which suggested guidelines regarding the ethical treatment of human subjects, the Common Rule legislation (45 CFR, Part 46), along with Title 34, Code of Federal Regulations, Part 97, and protection of human subjects policies, are the basic regulations governing the protection of human subjects in all research supported by the federal government. Additional protections for children relevant to education research are codified in Subpart A, Basic Policy, and Subpart D.



The regulations require that each education institution involved in research with human subjects be in compliance with regulations and obtain institutional review board (IRB) approval, unless the research is exempt. Several types of research supported by the U.S. Department of Education are exempt from human subject regulations, including (34 CFR § 97.101[b]):

- 1 Research conducted in educational settings, involving common educational practices (i.e., instructional strategies, curricula, or classroom management methods);
- 2 Research using educational tests, surveys, interviews, or observation of public behavior, unless the information identifies the subjects and disclosure could place the subjects at risk; this research, however, is not exempt if research subjects are children and the researcher(s) participate in the activities being observed (34 CFR § 97.401[b])¹¹;
- 3 Research using educational tests, surveys, interviews or observation of public behavior not exempt under item 2, if the human subjects are elected or appointed public officials or candidates for public office, or federal statute(s) require(s) without exception that the confidentiality of the PII will be maintained throughout the research process;
- 4 Research involving the study of existing data that are publicly available or have been de-identified;
- 5 Research, evaluation, and demonstration projects of public benefit or service programs conducted by or approved by department or agency heads; and
- 6 Taste and food quality evaluation and consumer acceptance studies.

Institutions involved in education research are required to have assurances of compliance and IRB approval for the research if (34 CFR § 97.103[a])¹²:

- 1 The institution is a U.S. Department of Education research fund grantee and a subcontractor performs activities involving human subjects;

- 2 The institution collaborates with the grantee and performs research activities involving human subjects;
- 3 Its employees act as representatives of the researchers;
- 4 Its employees obtain, receive, or possess coded private information for research purposes; or
- 5 Its employees utilize PII in circumstances in which the institution originally obtained the data for purposes other than the intended research.

Institutions are not required to obtain assurances and IRB approval if:

- 1 The institution's employees only inform prospective subjects about the research and procedures, etc.;
- 2 Its facilities are used for contact between subjects and researchers;
- 3 Its employees release PII to researchers in compliance with federal, state, and local laws and regulations; or
- 4 It receives coded data from another institution in compliance with applicable regulations.

As a general rule, schools must have written permission from the parent or eligible student to release information from a student's education record. Unless research that falls within FERPA qualifies for an exception to the general rule of parental or eligible student consent, the IRB cannot waive consent. FERPA stipulates that an education institution has the authority to determine what information may be accessed from an education record. If an institution denies an investigator access to information in an education record, the IRB cannot overrule the decision.

HIPAA

The Health Insurance Portability and Accountability Act of 1996 (HIPAA; P.L. 104-191) protects the privacy and security of individual health information.¹³ HIPAA regulates the use and disclosure of protected health information by covered entities that conduct standard electronic health care transactions.



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It allows for disclosure without individual authorization as part of health care treatment, payment, and operations, but also regulates when individuals must be informed of uses and disclosures of their protected health information and their rights to access this information.

When a school provides health care through a school clinic, the school is considered a health care provider under HIPAA. If a school also conducts any covered health care transactions, it is then a covered entity under HIPAA. As such, the school must comply with the HIPAA Administrative Simplification Rules for Transactions and utilize prescribed code sets and identifiers for transactions.¹⁴

Although many schools provide health care and can thus be considered HIPAA-covered entities, they are not required to comply with the HIPAA privacy rule because the only health records typically maintained by the school are education records or treatment records, both of which are excluded from coverage by the HIPAA privacy rule (45 CFR § 160.103[2][i][ii]).

At the elementary or secondary school level, a student's health records, including immunization records and records maintained by a school nurse, are defined as education records and subject to FERPA, not HIPAA regulations. Similarly, records for special education students, including those receiving services under the Individuals with Disabilities Education Act, are defined as education records under FERPA (34 CFR § 99.3). At the postsecondary level, medical and psychological treatment records are excluded from the FERPA definition of education records if they are used only in connection with treatment and disclosed only to providers. If the records are disclosed for reasons other than treatment, FERPA disclosure regulations apply (34 CFR § 99.3).

LINKED DATA RESEARCH UNDER FERPA

Children have contact with health, education, and social welfare systems throughout the life course. Arguably, most children have more sustained contact with the education system than any other public system. Educational outcomes are therefore an important indicator of child well-being. Increasingly, researchers seeking to understand the complex interplay of

public systems in children's lives look to educational indicators, particularly with regard to vulnerable children. For example, understanding the impact of foster care placement on children's educational trajectories or the role of parental incarceration in a child's educational outcomes are important factors in understanding how these systems operate.

Although public systems serve overlapping groups of vulnerable children, the service data collected are captured and maintained in separate data systems. As such, data typically reflect the reach of only a single agency and fail to capture the experiences of children and families served by multiple agencies over time. This inability to cross agency data silos has long undermined efforts to evaluate the collective size and impact of program investments and restricted assessments of population needs that would allow for resources to be strategically and equitably allocated. Additionally, with shrinking budgets, public agencies are challenged by the limited availability of resources for data analysis and are often forced to focus on required reporting rather than program evaluation and policy analysis.

In short, the utility of the administrative data collected by agencies serving children and families has yet to be fully realized. It is only through the linkage of administrative data sources across agencies that the timing and nature of various service interactions for a child and his or her family can be examined and the relationship between those service encounters and supports and later outcomes observed can be studied.

Federal, state, and local education stakeholders increasingly have recognized the importance of data sharing. Recent amendments to FERPA have clarified that PII from student education records can be disclosed without written consent for both research and audit purposes and have cleared the way for the effective use of data. As the U.S. Department of Education has stated:

*Improved access to data will facilitate States' ability to evaluate education programs, to ensure limited resources are invested effectively, to build upon what works and discard what does not, to increase accountability and transparency, and to contribute to a culture of innovation and continuous improvement in education.*¹⁵



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BIBLIOGRAPHY

American Education Research Association. FERPA.

<http://www.aera.net/ResearchPolicyAdvocacy/ResearchPolicyAdvocacy/FERPA/tabid/10271/Default.aspx>. Updated 2016.

Center for Medicare and Medicaid Services. Administrative Simplification Compliance Act. H.R. 3323.

<https://www.cms.gov/Regulations-and-Guidance/HIPAA-Administrative-Simplification/HIPAAGenInfo/Downloads/ASCALaw.pdf>.

Electronic Privacy Information Center. Family Educational Rights and Privacy Act (FERPA).

<https://epic.org/privacy/student/ferpa/>. Updated 2016.

FERPA|SHERPA. Student privacy resource center. <http://ferpasherpa.org/>. Updated 2015.

Health Insurance Portability and Accountability Act of 1996, P.L. 104-191.

<https://www.cms.gov/Regulations-and-Guidance/HIPAA-Administrative-Simplification/HIPAAGenInfo/Downloads/HIPAAALaw.pdf>.

Hilavac GC, Easterly EJ. FERPA primer: the basics and beyond. NACE Journal. <http://www.nacweb.org/public/ferpa0808.htm>.

Published April 2015.

National Center for Education Statistics. Protecting the privacy of student records, section 2: summary of key federal laws.

https://nces.ed.gov/pubs97/p97527/Sec2_txt.asp.

Rinehart-Thompson LA. Amendments to FERPA regulations: new changes attempt to balance safety and privacy in student records. J

AHIMA. 2009;80(7):56-57.

U.S. Code, Title 20, Subchapter III, Part 4, § 1232g. <https://www.law.cornell.edu/uscode/text/20/1232g>.

U.S. Department of Education. Information about the protection of human subjects in research supported by the Department of

Education – overview. <http://www2.ed.gov/policy/fund/guid/humansub/overview.html>. Updated May 19, 2011.

U.S. Department of Education. Hot topics. <http://www2.ed.gov/policy/gen/guid/fpco/hottopics/index.html>. Updated March 9, 2015.

U.S. Department of Education. About PTAC. <http://ptac.ed.gov/About>. Updated 2015.

U.S. Department of Education. Data de-identification: an overview of basic terms.

http://ptac.ed.gov/sites/default/files/data_deidentification_terms.pdf. Published October 2012. Updated May 2013.

U.S. Department of Education. ED guidance on “engagement” of institutions in research.

<http://www2.ed.gov/policy/fund/guid/humansub/guidan1.html>. Updated July 27, 2005.

U.S. Department of Education. The Family Educational Rights and Privacy Act: guidance for reasonable methods and written agreements.

https://www2.ed.gov/policy/gen/guid/fpco/pdf/reasonablemtd_agreement.pdf.

U.S. Department of Education. Family Educational Rights and Privacy Act (FERPA).

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>. Updated June 26, 2015.

U.S. Department of Education. Legislative history of major FERPA provisions.

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/leg-history.html>. Updated February 11, 2004.



REPORT END NOTES

¹Record is defined as any information recorded in any way, including but not limited to handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche (<https://www.law.cornell.edu/uscode/text/20/1232g>)

²Education program means any program that is principally engaged in the provision of education, including but not limited to early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, adult education, and any program that is administered by an education agency or institution (20 U.S.C. § 1232g[b][3], [b][5]).

³The Improving America's School's Act (1994), renamed GEPA; FERPA is now § 444.

⁴Amendments limited the right of postsecondary students to inspect and review records so that they would not have access to parental financial records or confidential letters of recommendation predating January 1, 1975.

⁵Directory information includes but is not limited to the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent education agency or institution attended (<https://www.law.cornell.edu/uscode/text/20/1232g>).

⁶<http://www2.ed.gov/policy/gen/guid/fpco/index.html>

⁷U.S. Department of Education. Family educational rights and privacy; final rule. Fed Register. 2011;76:232.
<https://www.gpo.gov/fdsys/pkg/FR-2011-12-02/pdf/2011-30683.pdf>.

⁸<http://www.aera.net/ResearchPolicyAdvocacy/ResearchPolicyAdvocacy/FERPA/tabid/10271/Default.aspx>

⁹<http://ptac.ed.gov>

¹⁰U.S. Department of Education. Data de-identification: an overview of basic terms.
http://ptac.ed.gov/sites/default/files/data_deidentification_terms.pdf. Published October 2012. Updated May 2013.

¹¹<http://www2.ed.gov/policy/fund/guid/humansub/overview.html>

¹²<http://www2.ed.gov/policy/fund/guid/humansub/guidan1.html>

¹³<https://www.cms.gov/Regulations-and-Guidance/HIPAA-Administrative-Simplification/HIPAAGenInfo/Downloads/HIPAAALaw.pdf>

¹⁴45 CFR § 160, 162, 164.
<http://www.cms.gov/Regulations-and-Guidance/HIPAA-Administrative-Simplification/TransactionCodeSetsStands/CodeSets.html>
and <http://www.cms.gov/Regulations-and-Guidance/HIPAA-Administrative-Simplification/EmployerIdentifierStand/index.html>

¹⁵U.S. Department of Education. Family educational rights and privacy; final rule. Fed Register. 2011;76:232.
<https://www.gpo.gov/fdsys/pkg/FR-2011-12-02/pdf/2011-30683.pdf>.

