



# Navigating Federal Laws: Getting Started

## SOME QUESTIONS TO CONSIDER:

- Who is collecting the information? Is it the School System or the Provider?**
  - » If it is collected by the School System, consider FERPA and PPRA
  - » If it is collected by the Provider, consider FERPA, PPRA and COPPA
- Is the information being collected directly from the student?**
  - » If so, consider FERPA and PPRA
    - Is the student under age 13?
      - ♦ If so, consider FERPA, PPRA and COPPA
- Have you obtained parental consent for the use of the data?**
- Is parental consent needed to disclose the data to a Provider?**
  - » Who is obtaining the consent, the School System or the Provider?
    - Remember that the Provider may rely on the School System to obtain parental consent on its behalf only when the student's personal information will be used for the school purposes and not for commercial purposes unrelated to the provision of the services.
- Will the data be used for marketing purposes authorized by your School System?**
  - » Is the use consistent with your school policy?
  - » Have you managed compliance with PPRA?
  - » How have consents been obtained in compliance with COPPA if personal information is to be collected from students under 13?
  - » Have you consulted your state law?

It is an undeniably complex ecosystem, but considering these questions as you assess where and with whom you disclose student data will help ensure that you are properly managing your responsibilities across all legislative requirements.