

The Leaders Library Card Challenge Success Strategy (or Hot Topic?)

Safe Data Sharing

Overview

Safe data sharing between library and school systems is built on a clear understanding of federal and state laws that protect the privacy of student information, a willingness by both parties to share student information for a clearly-defined purpose, and strong technical support to connect and regularly update shared information. With a growing recognition of the value of virtual library cards using student IDs to streamline library card enrollment and reach large numbers of students quickly, finding ways to share student data has become a high priority for many library-school partnerships.

Understanding Privacy Laws

The Family Educational Rights and Privacy Act of 1974 (FERPA), the federal law that protects the privacy of educational records, gives parents specific rights regarding the use of their children's education records until they turn 18. Generally, schools must have written permission from a parent or guardian in order to release any information from a student record. However, under certain circumstances, schools may share "directory information" without prior consent. Directory information includes the student's name, address, telephone number, data and place of birth, honors and awards, and dates of school enrollment.ⁱ

In recent years, many states have passed laws to update their privacy policies and to take a stronger role in protecting individual educational records rather than relying only on FERPA.ⁱⁱ

Data Sharing Agreements

Formal school-library agreements are essential to define roles, responsibilities, and processes for sharing data while keeping student information secure. For example:

- **Prince George's County Memorial Library System** and **Prince George's County Public Schools** entered into a data sharing agreement to allow the parties to connect students to the library "for educational enrichment and ensure that every student has access to library services that will enhance his/her educational success." The agreement limits data sharing to four elements -- student ID, full name, school, and grade level. The school system provides updated data to the library on a monthly basis.
- **Milwaukee Public Library** and **Milwaukee Public Schools** cover the details of their data sharing in a Memorandum of Understanding (MOU) that defines the overall library-school partnership to increase awareness and use of library learning resources by all students and their families. The MOU defines:
 1. Data fields to be shared and the process for carrying out the data exchange
 2. The purpose for which the data will be used – issuing student digital library accounts

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3. Library obligation to protect privacy of data shared as required by FERPA including not permitting access to student data by other parties
 4. Consequences of library failure to comply with federal law, state statute, or MPS policies regarding confidential student records.
- The **District of Columbia Schools, DC Public Library, and Office of the Chief Technology Officer** crafted a three-way Memorandum of Agreement (MOA) that defines responsibilities and boundaries for sharing educational data to permit use of the multi-purpose *DC One Card* as a public library card for all public and charter school students. MOA provisions include:
 1. Processes for retaining student directory information for other uses
 2. Affirmation of compliance with confidentiality provisions of FERPA and any other relevant statutes and policies.
 3. An annual assessment of parent opt-out forms to ensure compliance with student/family preferences.
 - **Charlotte Mecklenburg Public Library and Charlotte-Mecklenburg Schools** address confidentiality of student data in a Memorandum of Agreement (MOA) that outlines the partnership to provide library cards using student IDs. The MOA includes a specific reference to FERPA and any other federal or state regulations pertaining to student education record and requires library staff who will have access to the data to sign statements agreeing to keep all student record information confidential.

Sample data sharing agreements are available on the Leaders Library Card Challenge Collaborative Community on Basecamp and on the ULC website at [\(link\)](#).

Getting Started

The following lessons and advice have emerged from the work of communities participating in The Leaders Library Card Challenge:

1. **Start with a conversation among the partnership leaders – chief elected official, school superintendent, and library CEO.** A discussion about sharing data – why the library needs school data to support the goal of getting library cards to all children, what specific data is needed, how it will be used, who will have access to that data – is important to get the process started and ensure high-level buy in.
2. **Get legal advice.** Privacy of student data is protected by federal law and, in many cases, state law. Getting advice from an attorney on the front end will provide valuable guidance on how to proceed, resolve legal obstacles, and avoid surprises later in the process.

The Leaders Library Card Challenge Success Strategy (or Hot Topic?)

3. **Involve IT staff from both the library and school system early in the process.** Data sharing agreements usually define how data will be shared, who will have access to it, and how it will be updated. Those details need to be explored, developed, tested, and refined by IT professionals before a formal agreement can be reached.
4. **Review sample data sharing agreements.** Several library CEOs said they used components of other community agreements to prepare a working draft to launch the discussion between library and school leaders.
5. **Involve all decision makers in the data sharing process and agreement.** In some communities, a signed agreement between the school superintendent and library CEO may be sufficient. Others may require sign-off by the Board of Education.
6. **Give parents a chance to “opt out” of automatic distribution of virtual library cards using student IDs.** The opt-out provision supports FERPA’s requirement that a school obtain parental consent before sharing student information. Experience has shown that very few parents choose not to accept fine-free virtual library cards that provide easy access to library resources.
7. **Be patient, persistent, and flexible.** It will take time to gain buy-in from key players to share student data and to work out the technical procedures to ensure accurate and efficient data exchange. Responding to concerns as they arise, providing examples of successes in other communities, and being willing to make adjustments along the way will help move the process along. The time it takes to work through all of the concerns, obstacles, and details will strengthen the partnership and provide a foundation for deeper collaboration.

For more information, contact (TBD)?

The Leaders Library Card Challenge is supported by the Institute of Museum and Library Services and is led by the Urban Libraries Council. For more Information, email info@urbanlibraries.org.

ⁱ Family Educational Rights and Privacy Act (FERPA), U>S> Department of Education, <https://ed.gov/policy/gen/guid/fpco/ferpa/index.html>

ⁱⁱⁱ Adrienne Lu, *Protecting Student Privacy in the Data Age*, The Pew Charitable Trusts, December 2013. www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2013/12/17/protecting-student-privacy-in-the-digital-age