

Resources for Data Privacy & Security

The Oklahoma State Department of Education provides the following list as a resource to help you stay informed of legislation impacting data privacy & security. The list is not intended to be comprehensive nor to serve as legal advice. It may, however, give you a general overview of legislation impacting data privacy and security.

- The [Family Educational Rights and Privacy Act \(FERPA\)](#) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- The [Protection of Pupil Rights Amendment \(PPRA\)](#) (20 U.S.C. § 1232h) governs the administration to students of a survey, analysis, or evaluation that relates to one or more of eight protected areas. It also involves marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.
- The [Children's Online Privacy Protection Act \(COPPA\)](#) (16 CFR Part 312) imposes requirements on operators of websites or online services directed to children under 13 years of age by placing additional protections in place and parental controls.
- The [Children's Internet Protection Act \(CIPA\)](#) (47 U.S.C. § 254h) imposes requirements on schools and libraries to receive discounts offered by the E-rate program such as internet safety policies and education about appropriate online behavior.
- The Health Insurance Portability and Accountability Act of 1996 (HIPAA) was enacted to, among other things, establish national health care system standards and to protect the privacy and security of individually identifiable health information. The following link is a [Joint Guidance on the Application of HIPAA and FERPA to Student Health Records](#)
- [Student Privacy | U.S. Department of Education](#) This website provides resources, training, and technical assistance to learn more about federal student privacy laws.
- The [National Center for Education Statistics](#) provides several guides to protecting the privacy of student information and includes lists of exhibits and figures for state and local educational agencies.

Disclaimer: This list includes links to information created by other public and private organizations. These links are provided for the user's convenience. SDE does not control or guarantee the accuracy, relevance, timeliness, or completeness of this information.



- For disclosure requirements for Child Nutrition Programs, the [USDA Food and Nutrition Service](#) website includes statutory and regulatory requirements as well as other resource material.
- The State Department of Education (SDE) is committed to safeguarding the privacy and security of education data. Visit SDE [Data Privacy and Security](#) page to learn more about SDE data practices and privacy and security efforts.
- Administrative rules relative to SDE can be found in Title 210 of the Oklahoma Administrative Code. Visit the [Administrative Rules](#) page for more information.
- SDE publishes an annual Red Banner Book, which summarizes laws that directly impact education. You can find the Red Banner Books in the [Legislative Resources](#) page.
- The State Board of Education requires that all Oklahoma public school districts receiving federal funds comply with the requirements of the Family Educational Rights and Privacy Act.: OAC 210:1-3-8(a) [OAC](#)
- OAC 210:10-1-3 deems all original attendance records to be official public records. [OAC](#)
- School District Transparency Act. [70 O.S. § 5-135.4](#)
- Confidential Records of Public Educational Institutions. [51 O.S. § 24A.16](#)
- Forwarding and Disclosure of Records. [70 O.S. § 24-101.4](#)
- Information Concerning Pupil. [70 O.S. § 6-115](#)
- Availability of Student Records of Students in Foster Care. [70 O.S. § 13-132](#)
- Disclosure of Student Mental Health Services. [70 O.S. § 3-169](#)
- Pupil Records – Storing of Pupil Records – Time Requirement and Exception. [70 O.S. § 24-114](#)
- Student Data Accessibility, Transparency and Accountability Act of 2013. [70 O.S. § 3-168](#)
- Information pertaining to the Oklahoma Open Records Act can be found at [51 O.S. § 24A.5](#).

Disclaimer: SDE does not warrant or assume any legal liability for the accuracy or completeness of this list. This list may not contain the most recent changes in effect.

