	Wisconsin Department of Public Instruction **DEPARTMENTAL POLICY BULLETIN** PI-1100 (Rev. 07-09)	Index 4.315

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A. Background

This policy was developed to help ensure that federal and state pupil confidentiality laws are not violated in data displays, reports or files published and made publicly available by the Wisconsin Department of Public Instruction (DPI) or its agents or contractors, that are based on academic performance data, achievement data, or other personally identifiable information related to students or staff in the school districts. This policy specifically provides information on data intended for public use and the redaction of that data to protect student privacy.

For information on accessing student identifiable data, or summary data that is not redacted, see Department Policy Bulletin 4.300 Student Data Access.

To accompany this policy and provide guidance examples and best practices, refer to the Student Data Access Guidebook, which can be found on the DPI intranet web site under the "Data Access Request" topic or at the following link (https://fred.dpi.wi.gov/system/files/imce/workplace/it/_files/student_access_policy.pdf). This guidebook provides specific information needed to carry out the processes and procedures outlined in this policy.

B. Legal Consideration

The Federal Education Rights and Privacy Act (FERPA) applies to school districts that receive federal funds. The Wisconsin state pupil records law (s. 118.125, Stats.) was created by the Wisconsin legislature and applies to school districts; portions also apply to DPI. Restrictions on the disclosure of income eligibility status for subsidized lunches are provided in federal law under the jurisdiction of the US Department of Agriculture, and compliance is the responsibility of the local school district. The Wisconsin open records law also applies (see Departmental Policy Bulletin 1.130).

The DPI believes that disclosing a redacted public data set adequately protects the confidentiality of individual pupils within the meaning of FERPA and the state pupil records law. A school district may, under local authority, set aside the standards used by DPI in screening the public data set provided to it and choose its own more or less rigorous standard or method of screening and accept the legal risks involved in that decision. Should a school district have any legal questions about disclosing pupil information, the district is advised to consult with its own legal counsel.

More information on student privacy can be found on the DPI web site under the "Student Data Privacy" topic: http://dpi.wi.gov/wise/data-privacy.

C. General Redaction Policy

The policy addresses two interests:

1. The confidentiality requirements that exist in federal and state law; and
2. The needs and demands of the community and policy makers for detailed student academic and achievement data by various demographic categories to ensure accountability for the performance of all students and to promote community involvement in school improvement.

   The confidentiality provisions of federal and state pupil records laws generally require that any questions about revealing individual pupil identity through the dissemination of information should be resolved in favor of protecting the individual pupil's identity. Enactment of pupil assessment laws or program changes designed to define and track academic outcomes does not change that principle.

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The greatest threat to pupil confidentiality arises when the number of pupils in a particular reported category (gender, ethnicity, socioeconomic class, grade, school, or district) is very small, and when those numbers are reported on a defined geographic region within the state. The smaller the number of children of a particular category, the easier it is to identify individual children. Another consideration when reporting on sensitive topics, (such as; Disability Status, Migrant Status, Homeless Status, English Language Proficiency Level, Free and Reduced Lunch Eligibility Status, etc.), is when an entire population (i.e., 100 percent) is identified within a data set. In order to protect pupil confidentiality in these situations, it is necessary to redact personally identifiable information (PII) of pupils. This redaction policy provides that, where the numbers of children in a particular category are very small, the information in that category shall be redacted from the report in an effort to not suggest an individual pupil's identity. Furthermore, this redaction policy provides for cases when a whole population is identified within a sensitive topic data set, the information in a category shall be redacted from the report in an effort to not suggest an individual pupil's identity.

Generally, enrollment data is considered directory data and enrollment reports do not need to be redacted. These data are typically released in the form of aggregated data (e.g., data tables showing the numbers of enrolled students by race, grade level, gender, etc.). When these enrollment reports are combined with sensitive data and/or disaggregated it might be possible to combine with other information that can be linked or linkable to a specific individual. Questions about whether a report needs redacting should be referred to the DPI Division of Libraries and Technology.

D. DPI-Specific Tools and Examples
The following section refer to examples of reporting specific to the products developed and maintained by the DPI.

1. District and School Report Cards http://dpi.wi.gov/accountability/report-cards
    a. To protect student privacy, data for groups of fewer than twenty (20) pupils are replaced by asterisks (*) on the public report cards.
    b. "NA" is used when data are Not Applicable. For example, a district that does not graduate students has "NA" listed for graduation results.
    c. Additional details regarding the redaction principles involved in District Report Cards and School Report Cards can be found on Page 5 of the report card document or in DPI's School and District Report Cards Frequently Asked Questions documentation which can be found on the DPI web site https://dpi.wi.gov/sites/default/files/imce/accountability/pdf/Report%20Card%20FAQ%202014.pdf

2. WISEdash Public Portal http://wisedash.dpi.wi.gov/
    a. To protect student privacy, it is necessary to avoid disclosure of confidential information regarding small groups of students so there is not any direct or indirect disclosure of an individual student.
    b. Upon user filtering, the WISEdash Public Portal's aggregated datasets must comply with a strict hierarchy of redaction rules, which masks potentially identifiable variables.
    c. More information regarding direct/indirect disclosure and data redaction in the WISEdash Public Portal can be found on the DPI web site under the "Redaction" topic: http://dpi.wi.gov/wisedash/help/redaction.
    d. Examples of data suppression in the WISEdash Public Portal can be found on the DPI web site at: http://dpi.wi.gov/wisedash/help/no-data-graphs.

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    e. The WISEdash Public displays an asterisk (*) in a dashboard's data table instead of a number when it's required to mask data with small groups of students. The asterisk (*) also may appear in a graph's legend by a white box ☐*

    f. Definitions of specific redaction terms in the WISEdash Public Portal can be found on the DPI web site at: http://dpi.wi.gov/wisedash/help/glossary.

3. School District Performance Report (SDPR) https://apps2.dpi.wi.gov/sdpr/spr.action

    a. To protect student privacy, it is necessary to avoid disclosure of confidential information regarding small groups of students so there is not any direct or indirect disclosure of an individual student.

    b. School-level suppression shall be used to ensure that complementary disclosure avoidance techniques prevent direct and indirect disclosure for categories of reported data where enrollment/count is smaller than six. Additional steps shall be taken to suppress the next smallest categories when the sum of those suppressed enrollment counts are between 1 and 5.

    c. Some school districts have only one school, so school-level suppression shall be transferred to district-level suppression in these cases.

    d. District-level suppression shall incorporate the same safeguards as school level suppression. Additionally, suppressed categories shall be counted. If the sum of the suppressed enrollment/count is between 1 and 5, or the count of suppressed categories = 1; then suppress the next smallest category that has not already been suppressed, or if tied for smallest, all tied categories shall be suppressed.

4. Other Software Applications and/or Ad Hoc Data Requests

    a. Teams creating software applications that need to display redacted data shall ensure that redaction is designed and engineered into the application. The Division of Libraries and Technology provides guidance to software application development staff on these procedures.

    b. Teams who publish reports or data files on their own shall ensure that the report and/or data file is redacted. Because redaction is a complicated topic, the Division of Libraries and Technology should be consulted for guidance on redacting specific public reports.