


MASE FALL LEADERSHIP CONFERENCE


WHO NEEDS TO KNOW? DATA PRIVACY AND SPECIAL EDUCATION

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Laws Governing Data Privacy


FERPA

MGDPA

IDEA





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Government Data

Recorded data that is collected, created, received, maintained or disseminated by a charter school


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Desk drawer records



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Data on Individuals

- Public
- Private
- Confidential




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Educational Data

- Definition
- Typically Private
- Permitted Disclosures





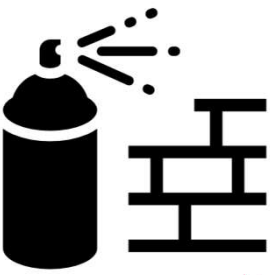
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Hypothetical #1

- An American flag was vandalized one week ago at the public school.
- School video surveillance footage captured the culprits, who are students.
- The news picks up the story and the police chief calls the school verbally demanding the video
- Can the school provide the video to the police chief?



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Hypothetical #2:

- The Student receives special education services to address behavioral needs
- The Student yells racial slurs in class one day; Another student records it and posts the video on social media
- Numerous community members and parents repost the video on the school's Facebook page with negative comments
- A school administrator responds with a post stating that the behavior is a manifestation of the Student's disability, that the school is addressing the behavior through special education services, and to show compassion.
- Does the administrator's post violate the MGDPA?




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Personnel Data



- Definition
- Private Data
- Permitted Disclosure

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Liability for Improper Distribution of Government Data






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Disclosing data with multiple data classifications?




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Generative AI Use by School Staff




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Generative AI & Government Data

- MDE's Guiding Principles
- U.S. DOE Guidance




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School employees should **NEVER** enter private or confidential data into generative AI models that expose the data to others

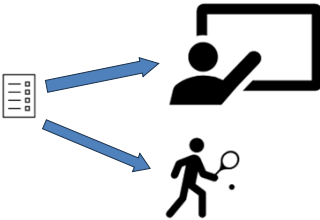


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IEPs, BIPs, and Section 504 Plans




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Discussing
Student
Information



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Tips for Written
Communication





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School staff should **NOT** disclose private data
on social media







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Proper Disposal of Student Information





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Redaction







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Preventing Unauthorized Access



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Questions?

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