

# **BEYOND ONE CLASSROOM:** **PARENTAL SUPPORT FOR TECHNOLOGY** **AND DATA USE IN SCHOOLS**



## About This Study

In 2015, the Future of Privacy Forum (FPF) set out to gain a better understanding of what public school parents actually know and want concerning the use of technology and collection of data in their children's schools, as well as their perspectives on the benefits and risks of student data use within the educational system. Media reports routinely quote parents who are afraid or reluctant to support the use of technology, electronic education records, and student data within their own schools or throughout the educational process. The original survey sought to understand the views of parents, the critical stakeholders in the education policy discussion.

A year later, in 2016, FPF administered this second survey. This survey was designed to continue the evaluation of parent perspectives on technology use in schools, and their understanding of collection and use of student data for educational purposes. This survey maintained many of the same questions in order to identify any changes in opinion since the prior year, but also traded out some questions for others that more timely address new issues or categories of technology applications that have emerged in K-12 schools since the first inquiry.

The 2016 FPF survey was conducted online within the United States from May 16-23, 2016 among 1,008 parents ages 18 and older who have children (ages 0–17) in their household (of which 646 have children in public school grades K–12). Harris Poll conducted the survey on behalf of the Future of Privacy Forum via Harris' Parent Query omnibus product. Figures for age, sex, race/ethnicity, education, region, household income, and number of children in the household were weighted where necessary

to bring them into line with their actual proportions in the population. Propensity score weighting was used to adjust for respondents' propensity to be online. For the remainder of this summary, the term "parents" refers to the 646 parents who participated in FPF's survey, and who have children under age 18 enrolled in public schools. The intent of this survey and report is to help educators, school leaders, product developers, and policymakers better understand parents' expectations and preferences when making policy decisions or considering legislative and regulatory choices about the responsible collection and use of student data. This survey asked parents to comprehensively outline their goals and concerns about the use of technology and student data. Their answers, and the conclusions that can reasonably be drawn from them, should inform the debate regarding local, state, and national policies concerning K-12 education and data use.

This report is available at:  
<https://fpf.org/issues/k-12-education/>

# BEYOND ONE CLASSROOM:

## PARENTAL SUPPORT FOR TECHNOLOGY AND DATA USE IN SCHOOLS

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## Introduction

Parents continue to most strongly support data use that benefits individual classrooms, but are increasingly comfortable with additional sharing and analysis of student data.

**A year ago, FPF considered the growing, public conversation about the use of technology in schools, and realized that there was an important gap in understanding the opinions of one key group – public school parents.** The participation of external education service providers, and concerns about the collection, use, and protection of data about individual students were driving legislative and regulatory discussions; by the end of 2015, over 300 state bills in 49 states had been considered, with over fifty passing into law.

But during this process, while many advocates and organizations strove to speak on behalf of parents, virtually no one stopped and asked parents directly what they understood, what their concerns were, and what they wanted. Our 2015 survey filled that gap, showing that parents were generally aware of and understood the technology used in their children's schools, but lacked knowledge of many of the specific laws and practices that provide guidelines and important protections for children's information.

Since we reached those conclusions, the public conversation on this topic has barely slowed. Therefore, we went back to parents again to find out – has their understanding grown? Have their concerns changed? And we had new questions to ask, as technology is used in ever-expanding ways, and the effects of those newly passed laws began to be felt.

The overall context in which this survey was conducted is consistent with 2015: data on students is generated from a broad array of technology and data services. Hardware used to collect data might include devices that are purchased and provided by the school or brought from home by students, while software covers apps, programs, games, and websites used by students with or without an account. Data may also be collected by teachers and administrators using tools like Learning Management Systems to manage grades, attendance, class assignments, bus routes, school lunch programs, special education services, counseling, standardized testing, and the myriad

other functions they provide on a continuous basis.

And in large part, our findings parallel those from last year. Unsurprisingly, it remains true that the closer the use of the data is to the individual classroom and to their own child, the more strongly parents support, and desire, the benefits of student data collection and use. As data use becomes less directly tied to students, parents still want to comprehend the benefit to the classroom. Parents support research that can be used in a school or classroom to directly benefit students.

What changed from last year to now? Technology use is spreading, fast. Almost eighty percent of parents are now using school-related technology to keep up with their child's educational progress, and ninety percent of children are using technology provided or recommended by their school.

In addition, parents increasingly see the value school districts gain from the use of a variety of personal data – with growing percentages saying that in addition to categories like grades and attendance, it is appropriate for schools to use data concerning disciplinary records and participation in school lunch programs. Even more noteworthy, parents may be seeing the value of broader research based on analysis that necessarily includes traditionally “sensitive” information. Support for the collection and use of parents' marital status, family income, and social security numbers all increased significantly; perhaps most importantly, over half of parents of school age children now agree that race and ethnicity are data that is appropriate for collection and use by schools. The use of this type of data, appropriately controlled and protected, is critical for research that identifies potentially discriminatory policies and practices, and it is heartening to see that parents appreciate the value this data, when responsibly used, can provide.

We also asked some new questions. Technology in schools is increasingly used in different ways, one of which is classroom recordings of teacher / student interactions—



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**This desire to be aware of data practices like classroom recordings reflects more generally a new finding that nearly all parents of school age children believe they should be informed with whom and for what purpose their child's record is being shared.**

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whether for internal class use, to model teaching or learning strategies, for teachers to become certified, or to share with other educators. Parental responses to our question about this technology demonstrates how important transparency and clear communication are between schools and parents; when asked about these videos being shared on-line, parents offer a mixed and even internally inconsistent point of view. A large majority support the creation of classroom recordings, but want to be informed about it, and have the chance to opt their child out. However, when it comes to whether to share these recordings on-line, some parents inconsistently may have said both that they can be shared within the school, can be shared further via teaching resource sites, and should “never” be shared on-line at all. This internal inconsistency may demonstrate that parents are simply unsure of the reach and use intended, and need to be part of the process for making external use of technology that includes their child in a way they may wish to avoid.

This desire to be aware of data practices like classroom recordings reflects more generally a new finding that nearly all parents of school age children believe they should be informed with whom and for what purpose their child's record is being shared. In addition to schools telling parents when the record is shared for educational purposes, we also asked about an increasing trend from state laws that may be limiting the rights of parents: while schools have the ability to share the educational record with partner vendors for core educational functions, parents may want to protect their ability to authorize use of their child's electronic record to external third parties – for example, for tutoring programs, non-school-sponsored

educational clubs or activities, or financial aid and advance educational programs. However, many state laws are being written that either prohibit this parental control altogether, or narrowly limit it to colleges and prospective employers only. Those leaving the school system for their next opportunity are not the only ones who may wish to use their own record for expanded purposes, and parents overall want this ability. Some want it via “opt-in,” others prefer “opt-out” or by direct request only, but less than half agree that it should be limited to colleges and employers only, or prohibited altogether. Policymakers should take note and instead of legislating this limitation, should leave it to schools and their communities to make this decision for themselves.

Overall, the findings of this survey continue to be consistent with surveys of Americans on privacy and security concerns generally, tracking across other industries that collect and use personal or sensitive data such as the financial and health fields.<sup>1</sup> While parents have concerns about security, most are not specific to the school environment but reflect the same broad security concerns that American adults have expressed in other research.<sup>2</sup>

An important area that remains a prime target for better communication and awareness is helping parents understand current laws and practices that protect student data. Slightly fewer parents than last year felt confident that they know what federal laws currently protect student data, or what those laws require. This is such a clear issue that advocates and educators at all levels should focus part of their future outreach on making parents aware of these existing requirements.

Overall, 2016 showed the increasing prevalence of technology use by both parents and students, increasing levels of support by parents of the appropriate collection and use of data by schools, and continued strong belief in the possibilities of technology to improve their child's educational opportunities. The goals for educators, advocates, and policymakers remain – communicate policies clearly; establish transparent practices; and work with parents as key partners in the educational system to achieve the best learning outcomes for our children.

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1 Id.; ONC Data Brief, No. 27, June 2015, “Individuals’ Perceptions of the Privacy and Security of Medical Records,” Office of the Nat’l Coordinator for Health Information Technology, at <https://www.healthit.gov/sites/default/files/briefs/oncdatabrief27june2015privacyandsecurity.pdf>

2 “Americans Attitudes About Privacy, Security, and Surveillance,” May 20, 2015, Pew Research Center for Internet, Science and Tech, at <http://www.pewinternet.org/2015/05/20/americans-attitudes-about-privacy-security-and-surveillance/> (hereafter, “Pew Survey”).

# What Do Parents Know...

## About the Use of Technology in Schools?

Parent and student use of school-related technology is growing quickly, but new classroom uses still raise concerns.

In today's classroom, technology is pervasive, and nearly all children – and a large majority of parents – use technology provided by the school for educational purposes (for example to check grades, complete assignments and stay current on information) although there remains a wide diversity of connectivity, devices, and applications available in different states and districts.

### KEY FINDINGS

- Almost 8 in 10 parents (78%) have used school-related technology to keep up with their child's assignments or to check grades/schedules – a significant increase from the 58% of parents who had done so as of 2015.
- Nine in 10 parents (90%) say their child uses technology provided by their school, or technology required or recommended by teachers or school officers, for educational purposes – up from just over 7 in 10 the year prior.
- Nearly 8 in 10 parents (79%) say their child's school has communicated with them about how it uses technology for teaching in the classroom, for homework assignments, or other educational purposes.
- While almost 7 in 10 (68%) say their school "has clear policies" for the online collection and use of student data, a slightly lower 62% say they understand how their child's school collects and uses information about students.

Some teachers are starting to use video-recordings of their classroom interactions with students, whether for internal class use, to model teaching or learning strategies, or to share with other educators. When asked about these videos being shared on-line, parents offer a mixed and even internally inconsistent point of view.

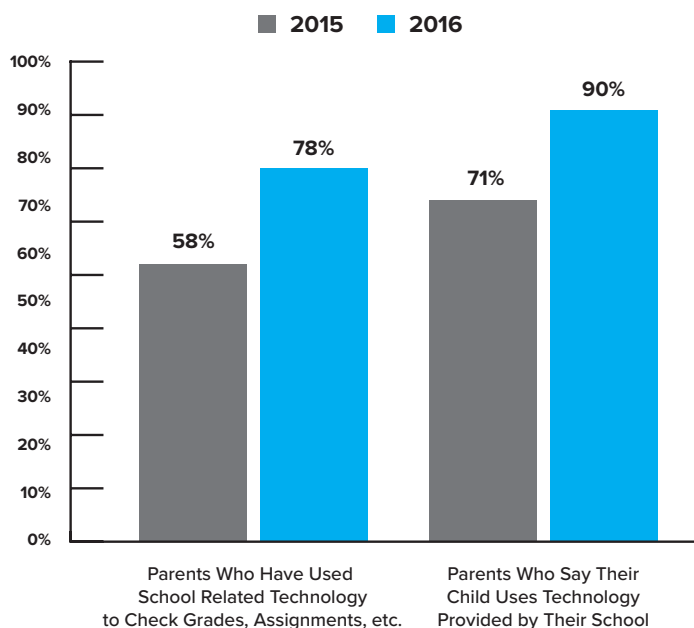
- Almost 9 in 10 parents (89%) believe that it is okay for classroom activities to be recorded, but only with parental notification and the chance to opt-out.
- About 8 in 10 (79%) feel these recordings are okay for internal teacher and school use, but should never be posted online.
- Despite the previous finding, a majority of parents (59%) simultaneously said posting recordings online is okay as long as access is restricted to authorized reviewers such as other educators or researchers.
- Finally, about one-third (34%) believe that classroom activities should never be recorded.

## DISCUSSION

Media stories on education technology frequently focus on parents who are generally opposed to technology in the classroom or who have individualized concerns. We also continue to see advocacy groups seeking to speak on behalf of parents who may be primarily interested in advancing a particular policy position. To policymakers, or the public more broadly, these sources may be assumed to represent parents generally, which risks minimizing the broader and more nuanced spectrum of parent perspectives.

The survey found the rates of technology use in schools growing, both by students and by parents. Parents increasingly use technology to supervise their child's education progress, and to communicate with the school. As these number near 100 percent, our focus needs to be on ensuring continuing awareness and communication with parents about the uses and benefits for their children's learning outcomes.

### TECHNOLOGY USE IN SCHOOLS



However, challenges remain, as the use of technology is expanding, and new applications are considered and tried on an on-going basis.

Video technology in the classroom has many potential benefits, but obviously there are aspects that require thoughtful implementation. Most parents expressed

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at least lukewarm support for classroom recordings, assuming notification and an opt out provision. But some parents definitively state that there is never a time that classroom recordings are acceptable. In this case, the survey only asked about video recordings generally. It is likely that if particular use cases were included – such as special education students who need classroom interactions video recorded as part of their individual education plan – parents would have reacted differently based on the particular use identified.

By the numbers, a small subset of parents agreed with both options, indicating the confusion present over this, and likely other new, applications of technology. Similarly, there is conflicting input on whether recordings should “never” be posted online, or posted only when limited to authorized educators or researchers.

As schools continue to provide parents and students with technological tools, it will be important for schools to provide specific examples – both through communication tools like handouts, and through training teachers and administrators to demonstrate for parents—how technology will be used and the benefits of that technology.

# When Do Parents Support...

## Access to and Use of Student Data Within Schools or the Educational System?

Parents remain comfortable with education-related data being used to improve learning, and support is growing for use of sensitive data for beneficial purposes.

The vast majority of parents continue to express their greatest comfort levels when student information is being used to directly improve teaching and learning, and less so the further the use of data moves away from being clearly school-related. Schools have an administrative duty to manage education agencies and programs, as well as provide direct educational programs, and most parents' understand the need for collecting information about a child for this full spectrum of purposes that directly support students under school control.

Perhaps unexpectedly parents' tolerance for schools using more sensitive information (marital status, family income, and social security numbers) increased from last year's survey, and a majority of parents now support the collection of race and ethnicity for educational purposes.

### KEY FINDINGS

Parents strongly support schools' collection and use of *types of information* they feel appropriately contributes directly to educational purposes.

- Grades (97%), attendance records (94%), special needs status (92%), standardized test scores (92% - an increase of 4%), and disciplinary records (90% - an increase of 4%) all continue to receive high support as "appropriate" for use by schools.
- Strong majorities likewise view as appropriate data for school use: addresses and phone numbers (80% - up 6%), health records (75%), participation in school lunch/breakfast programs (75% - up 7%), and criminal records (65%).
- Race/ethnicity interestingly moved into the "majority" category, with support rising from 39% in 2015 to 53% this year.
- Although still a minority, support for use of more sensitive information (parental marital status — 45%, up 8%, family income — 37%, up 10%, and Social Security numbers — 35%, up 11%) increased substantially, when that use is tied to educational purposes.

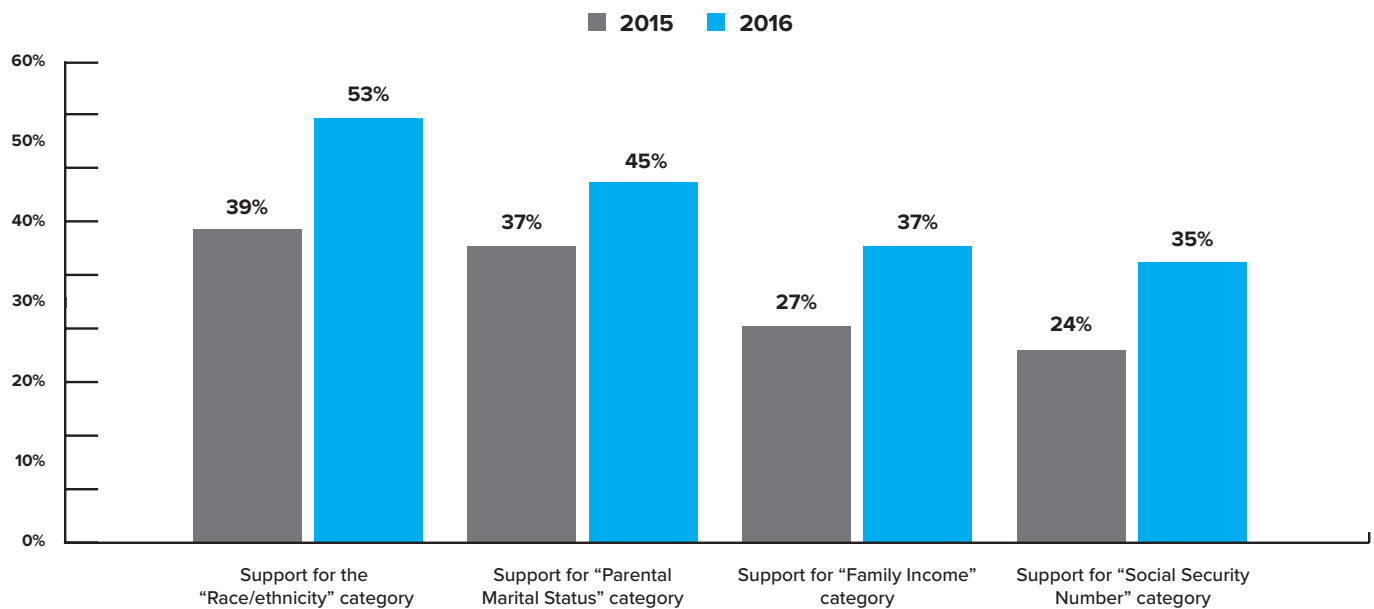
Parents have varying levels of comfort with *who* may have access to their child's record.

- The child's principal (92% - up 3%) and teachers (91% - up 2%) continue to top the list.
- Slightly more remote, but still directly related to the educational process are state departments of education (80% - up 2%) and the U.S. Department of Education (75% - down 4%), along with organizations that offer financial aid (69% - down 5%).
- Parents are slightly less comfortable this year (78%, down from 83%) with colleges and universities having access to their child's information.
- Over two-thirds (69% - up from 63%) are comfortable giving access to researchers who analyze the data and use the findings to make recommendations for school improvement.
- Parents remain less comfortable with the federal government generally (51%), other school districts (46%), companies that create educational software, websites, and apps (43%), or nonprofit organizations (31%) having access.<sup>3</sup>

<sup>3</sup> Note much higher support (57%) for similar ed tech product development question in the next section when it concerns ed tech vendors that hold data from direct school services.



## TYPES OF INFORMATION



## DISCUSSION

We continued to see schools expand their ability to create a more personalized learning experience for students through collecting different types of data. The overall increase in support for the use of more sensitive data may reflect parents' growing understanding and appreciation of the variety of ways this data can be used to benefit their student. However, parents' comfort with collecting this data remains limited to when the data is being used only for educational purposes.

Because data is collected and stored electronically, it is still easier to share, and many parents remain concerned about who has access. Overwhelmingly, parents still preferred cases where the data is being shared with those with the closest direct connection to students,.

Clearly, parents need to perceive a strong need or overall benefit when schools collect or use information. Schools should continue to be transparent. For example, explaining that the school needs to know family income in order to enroll students in free or reduced price lunch programs can help assuage parental fears that arise when they do not know why the information is collected. Even with growing support for the inclusion of sensitive data, more parents are wary. Schools must be clear about why they are collecting data, who has access to it, and how it will be protected.

Similarly, when considering "who" deserves access to the child's data, parents are more comfortable with individuals and organizations that have a clear link to classroom education generally and their child specifically. Less than half of parents still do not seem to understand why schools provide data to third party companies. It is essential that schools communicate how those companies are providing a service that directly benefits students.

A growing majority of parents remain comfortable with giving access to student data to state or federal education agencies. While a small percentage have privacy concerns, a strong majority of parents found these concerns to be outweighed by the net benefit when these agencies have access to this data.

As the education policy landscape moves more towards personalizing learning for every student and technology evolves, more third parties will develop products that provide teachers with additional ways to serve every student. In a landscape where student data is almost uniformly held digitally, it will also be vital that this information is protected, a service that third parties can often do best. As schools expand their partnerships to provide these valuable resources to students, school leaders owe parents clear explanations and reassurance. Parents deserve to be as comfortable with every party who has access to their child's information as they are with the teacher and principal.

# What Do Parents See...

## as Benefits from Additional Uses of Student Data?

Parents still strongly support school systems' use of student information to improve educational outcomes, but remain wary of vendor companies' role and goals.

In addition to the types of information discussed above, information is generated within the learning process via technology (e.g. specific sites, programs, apps, or games) that can be valuably used to customize the individual student's educational experience - and to cater instruction, support and future endeavors to a student's unique needs. To fully achieve the personalized benefits of that data typically requires aggregating the information with matching data from other similar students.

Most parents believe that using student data, both in the aggregate and individually, is an appropriate (and perhaps constructive) way to evaluate and improve education. Most parents (at least seven in 10) see aggregated student data as a tool to both measure and improve the effectiveness of teachers and schools. A majority of parents also believe that individualized student data can help customize the educational experience.

### KEY FINDINGS

According to most parents, the most convincing reasons to use *individual student information* are to:

- Identify students who are struggling so that schools can provide appropriate support earlier (85%);
- Personalize the learning process by identifying the strengths and weaknesses of individual students (82%); and
- Help schools build profiles on individual students, such as those used to predict best fits for future vocations or professions (57%).

The most convincing reasons to use *aggregated* student information are to:

- Help schools improve education by measuring the most successful programs (80%);
- Help teachers improve the effectiveness of their instruction (78%);
- Help schools measure and hold teachers accountable for their effectiveness in the classroom (71%); and
- Help states and districts grade how well different schools are performing (70%).

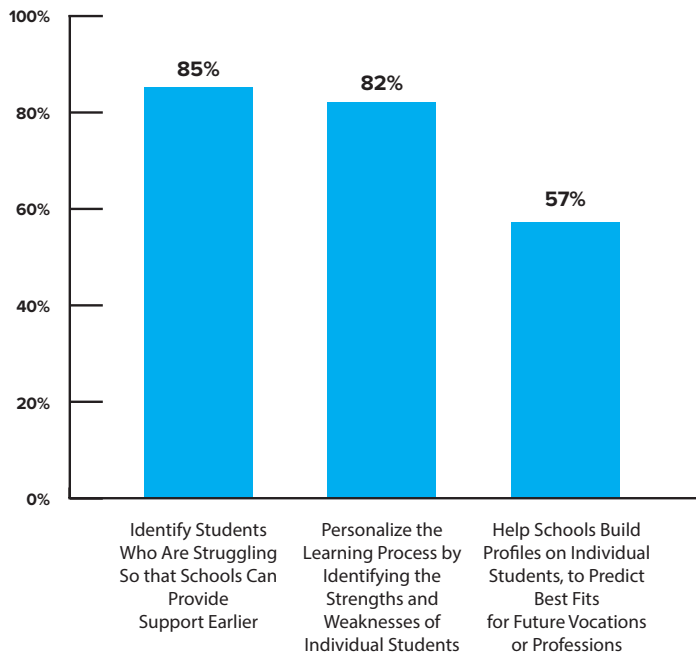
Parents offer varied levels of support for using student information *in other ways*, including to:

- To measure student progress over time throughout their education (82%);
- Evaluate the effectiveness of education programs (81%);
- Help colleges send information to students they wish to recruit (65%);
- Help companies develop more effective educational products and services (60%);
- Help companies market educational products and services to parents (37%);
- Help companies market educational products and services to students (35%);
- Help companies offer more targeted ads (23%).

## DISCUSSION

### TYPES OF INFORMATION

According to most parents, the most convincing reasons to use *individual student information* are to:



**Communicating and demonstrating these additional benefits to parents is key to establishing and maintaining trust in an on-going relationship between parents, their communities, and the schools and vendors that serve them.**

We continue to see new ways to benefit from research and analysis using aggregated data. It yields broader and deeper understanding that can be incorporated into policies and practices which contribute directly to each individual student's learning experience. Aggregated data also enables an evaluation of important aspects of the educational process beyond an individual child's experience, such as measuring teacher effectiveness, school or district progress, or even state or nationwide trends. Aggregated data are also an important foundation for the development of new educational products and services.

Parents of school-age children reflect an understanding of these benefits, demonstrating overall a belief in the power of data for research and analysis to understand what is working, what isn't, and what might be done differently or better.

Unsurprisingly, most parents support the school system using student information to bolster the curriculum, evaluate educational programs, or measure student progress. However, they remain less supportive of companies that may want to use student information to develop or market educational products and services. These views underscore the on-going need for schools and their ed tech partners to explain how new products and services could help their child, while simultaneously assuring parents that this use will not put them or their children at risk for inappropriate marketing.

Marketing directly to students based on their school record has been targeted and prohibited by almost all state laws addressing student privacy controls. However, taking what is learned from students using one product and applying that knowledge to improve or develop other products is an essential component in building the best educational services for all. Communicating and demonstrating these additional benefits to parents is key to establishing and maintaining trust in an on-going relationship between parents, their communities, and the schools and vendors that serve them.

# Where Do Parents Stand...

## on the Creation of Electronic Education Records Amid Security Concerns?

Parents have enthusiasm for the potential benefits of electronic education records, but also express hesitation about the possible security risks.

Similar to FPF's 2015 survey, a majority of parents recognize the value of a properly protected electronic education record being created for their child. However, while desiring the benefits that data can provide, most continue to express concern, both for security (the record being hacked or stolen) and privacy (the record being used against their child).

When it comes to schools authorizing the sharing of information from vendors to other outside organizations, most believe that parents should be consulted, but should ultimately retain the right to enable this transfer. However, some believe that even with parent request or preference, such information should never be shared, or should be limited to only colleges or prospective employers. More thought that the parent desire should be honored, as long as either an opt-in, opt-out, or direct parental request was in place. The broad split among choices supports the idea that this control should be decided within the school community rather than limiting parental choices at the state level.

### KEY FINDINGS

As in 2015, parents want electronic records, but they also want them properly protected, controlled, and used for the educational purposes for which they are created.

- More than seven in ten parents are comfortable with a properly protected electronic education record being created for their children (71%) and believe that this kind of record would be a valuable tool for improving their children's educational opportunities (77%).
- Furthermore, over 8 in 10 parents are *more likely* to support collecting and using data in an electronic record if:
  - They know a school and/or educational service provider is required to ensure security (82%);
  - A school and/or educational service provider is required to use the electronic education record only for education purposes (84%).
- The majority of parents have security and privacy concerns, primarily that:
  - Their child's electronic education record could be hacked or stolen (84%);
  - An electronic education record could be used against their child by a college or an employer (68%).
- In a new question, nearly all parents (94%) believe they should be informed with whom and for what purpose their child's record is being shared.
- When it comes to sharing educational data with vendors and outside organizations, parents believe:
  - Schools should be able to allow vendors to share student information with outside organizations only if parents "opt-in" to share their child's data (25%)
  - Schools should be able to allow vendors to share student information with outside organizations as long as they offer parents an "opt-out" for their child's data (19%)
  - Schools should only be able to allow vendors to share student information with outside organizations if a parent initiates and requests it (17%)
  - Schools, with parental consent, should be able to allow vendors to share student information *only* with colleges or prospective employers (15%)
  - Schools should *not* be able to allow vendors to share student information, regardless of parental requests or preference (24%)



## DISCUSSION

Parents offer strong support for an electronic record when they are confident the necessary protections are in place. But, like the general population, parental concerns reflect those from broader surveys about the ability of various entities to secure personal or sensitive online data such as credit card companies, government agencies, retailers, and other users of personally identifiable information.<sup>4</sup> People want the benefits and convenience of electronic storage and access, but are concerned about the vulnerability of their information. Parents clearly see the benefits of creating and maintaining electronic records, but want to ensure those records are properly protected.

Regardless, parents overwhelmingly want the entity collecting or using the electronic data to both ensure security and use the data solely for specified educational purposes. While parents want to maintain the option to use data in additional ways as they see fit, they clearly want schools and vendors to respect the boundaries of the educational system.

The definition of “educational purposes” becomes pivotal. Previous questions indicated that most parents support using data to develop new educational products, so schools and vendors should continue to reinforce the understanding that improved services and new products are both part of the educational process. This means proactively making and keeping a commitment: student data will not be exploited for sale or used to target marketing and advertising based on the data collected through the educational use of the product or service.

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**It would be a disenfranchisement of those parents who desire greater flexibility to not allow some express level of control...**

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It is also important to note that many parents want the option to authorize further use of their child’s data to outside organizations. Some state laws have completely banned further use of the electronic record or else explicitly limited third-party sharing only to

colleges and potential employers. However, parents may want to share this data with outside or community organizations such as tutors. It would be a disenfranchisement of those parents who desire greater flexibility to not allow some express level of control via the school’s authorization, allowing schools to enable additional uses of student data with the parents’ explicit permission. Considering the split in parent opinions, it would be best for state legislatures to leave these types of decisions to each local community.



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4 Pew Survey, Graphic: “Few Expect Confidence That Their Records Will Remain Private and Secure.”



# What Protections Do Parents Want?

## What Do They Know About Existing Laws and Policies?

Parents may still see laws as part of the solution, but are even less aware of current federal laws that apply to school and vendors than in 2015.

As we saw last year, while many parents say they are aware of what is – and is not – allowed under federal student privacy law. However, more than half of surveyed parents admit they know nothing. In fact, this awareness went down since our last survey.

Likewise, there continues to be a lack of knowledge about federal laws that govern *public school* use of information. More than 1 in 2 parents admit they don't know about what restrictions exist or even if there are any laws at all.

### KEY FINDINGS

- Only about one in five (21%) parents claim to know there are federal laws that restrict what public schools can do with their child's information.
- One in five (21%) parents say they think there are laws, but do not know what they allow or restrict.
- More than half (55%) admit they do not know about federal laws that restrict what public schools can do with their child's information.

Specifically concerning *Directory Information*, one of the opportunities to share student data that is allowed under federal law:

- Almost 7 in 10 (68%) of parents say their school shares directory information.
- But, only 4 in 10 (40%) remember receiving information from their child's school about Directory Information, and less than 3 in 10 (28%) remember seeing information about their right to opt out.

When it comes to sharing information with *vendors and outside organizations*:

- Approximately one in five (20%) parents know there are federal laws that restrict what companies can do with information collected from children online.
- One quarter (24%) of parents think there are laws, but do not know what they allow or restrict.
- Over half (53%) do not know anything about federal laws that restrict what companies can do with information collected from children online (up from 47% in 2015).

To ensure that student data is used responsibly by *schools and companies* providing educational products and services, parents prefer:

- Contractual agreements by schools and companies that are shared with parents (46%).
- New or additional laws (44%, a decrease from the 57% in 2015), including both federal laws (35%) or state laws (37%).
- Stronger company privacy policies available on websites that are legally enforceable to restrict data use (43%).
- Public commitments by companies to standards for use of student information (20%).
- "None": 30% (up from 26% last year) believe there is no way to ensure student data is used responsibly by schools and companies.

## DISCUSSION

Older laws continue to be a challenge for the context of current technology and a changing education model in an electronic age. For that reason, updating or adding new laws remains an area of high energy and interest. At the state level, legislative action in 2016 slowed slightly from previous years, but was still vigorous. Therefore, it is perhaps surprising that parents, by their own account, are even less aware this year of what federal laws allow schools and companies to do with student data.

The primary current federal law governing student privacy is the Family Educational Rights and Privacy Act (FERPA), which controls disclosure of a student's education record. FERPA centers around the idea of parental consent to use of their child's data. There were proposed drafts of rewrites to FERPA during the spring of 2016, but none progressed beyond the draft and discussion stage. Thus, the particular area of concern remains: how do FERPA's pre-digital age restrictions on disclosure apply to current situations where schools use third-party education service providers for core educational functions?

One of FERPA's exceptions to express parental consent for sharing information is for that info a school may designate as "directory information." While the school can release "directory information" to requesting parties, it must first

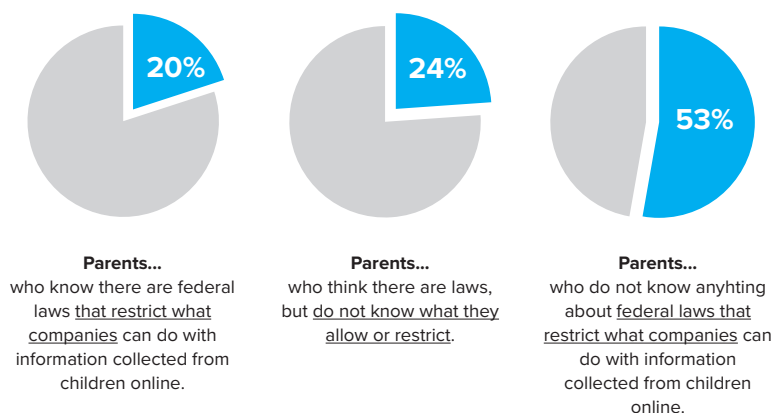
ensure that every parent has a chance to "opt out" so that his or her child's information is not included. This notice may be given in multiple ways, including letter, email, or enclosure in a distributed student handbook.

Perhaps because states have been active in discussing and passing laws about student privacy, significantly fewer parents see new laws as the answer. About the same percentages as in 2015 want individual companies to improve contracting practices, have enforceable privacy policies, or publicly commit to common standards. There is no real consensus among parents about how policies should best be executed to ensure that student data is used properly by companies, but compared to last year, parents are much less inclined to feel that new or additional laws are the answer.

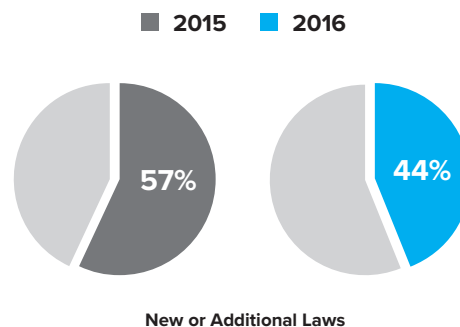
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## EXISTING LAWS AND PROTECTIONS

Few parents know about existing laws and protections.



But even fewer parents see new laws as a solution:





## Conclusions and Recommendations

For the second year in a row, we see that parents are aware, engaged, and interested in the use of technology in schools, the collection and protection of student data, and their own critical role in education systems that service their child. While changes between last year and this year were generally small, some significant changes occurred; the changes were aligned with increasing parental support for the beneficial use of data to enhance their child's educational opportunities and learning outcomes.

There remains room to improve, but as we concluded last year, this survey demonstrates a strong baseline of knowledge and constructive communication between schools and parents. The priorities continue relatively unchanged: to help schools select and implement appropriate technologies, train teachers and administrators, and communicate effectively with parents about the expanded use of technology throughout the educational process.

## Recommendations to Create and Foster a Trusted Learning Environment

### Expanded Use of Technology in Schools

1. Seek resources to adequately train and support teachers and administrators.
2. Communicate with parents throughout various stages of implementing new technologies.
3. Ensure that new services and products clearly enhance the educational process.

### Use of and Access to Data

1. Understand and address parental concerns about which companies receive access to data for product development (e.g., those in partnerships with schools).
2. Work with schools to create and establish clear policies governing disclosure of student data, using existing laws as the baseline.
3. Include parents in the discussion, and communicate regularly to address concerns and build trust among parents, schools, and other partner organizations.

### Additional Uses of Data

1. Implement policies and practices that focus on educational benefits to the student.
2. Include privacy and security priorities in all phases of acquiring and implementing new programs or resources.
3. Communicate with parents to explain the benefits and risks of new technology or data use, and describe the relevant restrictions on marketing.
4. Demonstrate that applying lessons from one product or service to improve other products or services is an essential component for building the best educational services for all.

### Electronic Records and Security

1. Understand and address parental concerns about security in the context of broader data use and security.
2. Educate parents on the distinctions between privacy (policies that determine authorized access and use of collected



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**Parents are the strongest advocates for their children's educational success, and all other stakeholders in the educational system should embrace the opportunity to communicate and work with parents as partners in addressing these issues.**

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information) and security (protection against unauthorized access and abuse of data) concerns, and discuss the practices in place to address each.

3. Clearly outline the benefits from the use of an electronic record, and describe privacy and security policies needed to support and reach those goals.
4. Respect the boundaries of the “educational purposes” that parents support, and clearly identify and communicate uses beyond that, especially when parents have rights to limit or opt out.
5. Make and keep a commitment that student data will not be sold or used for targeted advertising based on personal information acquired via the student’s educational use of their site.
6. Maintain a school’s discretion to allow parents to authorize additional use of their child’s data, with the additional use subject to clear and affirmatively expressed “opt-in” conditions.

### **Laws and Solutions**

1. Make parents aware of the protections that already exist, and support proposed policies that strengthen protections where needed.
2. Communicate with parents about existing contracting practices.
3. Provide transparency in the relationship between schools and vendors for both contracting terms and privacy policies of individual partner companies.
4. Seek out the increased options for shared standards or endorsements, seals, or certifications, and communicate with parents about the strengths of those programs.
5. Support legislation that focuses on providing resources and capacity for training and communication and that addresses gaps in current laws.

## **Takeaways:**

FPF’s second annual survey shows that parents of K–12 children in American public schools continue to hold a range of strong and detailed beliefs about the appropriate collection and use of technology and information to benefit their children’s educational experience. They remain eager for the benefits that research and analysis of educational data can provide, and they continue to be concerned for information security, on par with concerns about personal data privacy in general. Parents are the strongest advocates for their children’s educational success, and all other stakeholders in the educational system should embrace the opportunity to communicate and work with parents as partners in addressing these issues.



## Appendix: Survey Questions

After a variety of demographic and screening questions, parents with children in K-12 public schools were asked the following questions.

1. If you have more than one child currently attending public school, please answer the following questions thinking about your oldest child currently attending public school. Which of the following, if any, apply to you or your child? Select one: Yes, No, I don't know

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• My child uses technology provided by their school, or technology required or recommended by teachers or school officers, for educational purposes.</li><li>• My child's school has communicated with me about how it uses technology for teaching in the classroom, for homework assignments, or other educational purposes.</li><li>• I have used school-related technology to keep up</li></ul> | <ul style="list-style-type: none"><li>with my child's assignments or to check grades / schedules (e.g., on-line bulletin boards for assignments, access to instructional materials, teacher provided information on grades or due dates).</li><li>• My child's school has clear policies for the online collection and use of student data.</li><li>• I understand how my child's school collects and uses information about students.</li></ul> |
|---|--|

2. Below is a list of some types of student information that schools might have access to.

For each type of student information below, please indicate how appropriate you think it is for school districts to use this information for educational purposes. Select one: Not at all appropriate, Not very appropriate, Somewhat appropriate, Very appropriate

- |   |   |  |
|---|---|--|
| <ul style="list-style-type: none"><li>• Attendance records</li><li>• Grades</li><li>• Standardized test scores</li><li>• Special needs status and evaluations</li></ul> | <ul style="list-style-type: none"><li>• Disciplinary records</li><li>• Criminal records</li><li>• Racial or ethnic background</li><li>• Address or phone numbers</li><li>• Health records</li></ul> | <ul style="list-style-type: none"><li>• Participation in school lunch / breakfast programs</li><li>• Social Security numbers</li><li>• Parental marital status</li><li>• Family income</li></ul> |
|---|---|--|

3. One type of data that schools may share is "directory information" which includes information such as a child's name, address, and home phone number. Parents have the right to "opt out" of some uses of directory information (e.g., sharing for yearbooks, class rings, school award programs, or athletic teams).

Which of the following best describes the communication you have received from your child's school regarding their directory information? Again, please think only about your oldest child currently attending public school.

- I have received no information from my child's school regarding directory information.
- I have received information from my child's school regarding directory information, but was not told I could opt out of some or all of my child's information being shared.
- I have received information from my child's school regarding directory information and my rights to opt out.
- My child's school policy is not to share directory information.
- Not at all sure



**4. Do you know if Federal law restricts what public schools can do with your child's information?**

- Yes, I know Federal law does restrict what public schools can do.
- Yes, I know Federal law does not restrict what public schools can do.
- Yes, I think there are federal laws, but I do not know what they allow or restrict.
- No, I do not know about Federal laws on this topic.

**5. Do you know if Federal law restricts what companies can do with personal information collected online from children?**

- Yes, I know Federal law does restrict what companies can do with information collected online from children.
- Yes, I know Federal law does not restrict what companies can do with information collected online from children.
- Yes, I think there are Federal laws, but I do not know what they allow or restrict.
- No, I do not know about Federal laws on this topic.

**6. Some teachers are starting to use video-recordings of their classroom interactions with students as case studies for particular teaching or learning strategies. These videos may be posted in educational or social media forums for discussions with other educators.**

**How much do you agree or disagree with each of the following statements about classroom recordings?**

**Select one: Strongly disagree, Somewhat disagree, Somewhat agree, Strongly agree**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Posting recordings online is ok as long as access is restricted to authorized reviewers such as other educators or researchers.</li><li>• Recordings are ok for internal teacher and school use, but should never be posted online.</li></ul> | <ul style="list-style-type: none"><li>• It is ok for classroom activities to be recorded, but only with parental notification and the chance to opt-out.</li><li>• Classroom activities should never be recorded.</li></ul> |
|---|---|

**7. Sometimes schools or school districts will share student information with other organizations or people. Below is a list of the types of organizations or people that districts might share student information with.**

**Please indicate how comfortable you would be with each of the following having access to your child's education record (e.g., grades, attendance, performance). Select one: Not at all comfortable, Not very comfortable, Somewhat comfortable, Very comfortable**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• The student's principal</li><li>• The student's teachers</li><li>• U.S. Department of Education</li><li>• Other school districts</li><li>• Colleges &amp; universities</li><li>• The state department of education</li><li>• The federal government</li></ul> | <ul style="list-style-type: none"><li>• Non-profit organizations</li><li>• Researchers that analyze the data and use their findings to make recommendations about how schools can improve</li><li>• Companies that create educational software, websites, and apps</li><li>• Organizations that offer financial aid</li></ul> |
|---|---|

8. Schools may allow education technology companies access to a student's education data for educational purposes, to accomplish the services provided by that vendor. Beyond that, some parents may want to request or authorize the educational technology companies to further share their child's data with an outside organization (such as a private tutoring service, an extracurricular organization, or outside service providers like those used by many special needs students).

Which of the following *best* describes your opinion on what schools should be able to do when it comes to sharing educational data with vendors and outside organizations?

- Schools should be able to allow vendors to share student information with outside organizations as long as they offer parents an "opt-out" for their child's data.
- Schools should be able to allow vendors to share student information with outside organizations but only if parents "opt-in" to share their child's data.
- Schools should only be able to allow vendors to share student information with outside organizations if a parent initiates and requests it.
- Schools, with parental consent, should be able to allow vendors to share student information only with colleges or prospective employers (i.e., not with any other outside organizations).
- Schools should not be able to allow vendors to share student information, regardless of parental requests or preference.

9. Student information can sometimes be aggregated and summarized and then used for various purposes.

Please indicate how convincing, if at all, the following reasons are for using summarized student information to improve education. Select one: Not at all convincing, Not very convincing, Somewhat convincing, Very convincing

- Student information can measure and hold teachers accountable for their effectiveness in the classroom.
- Student information can help schools improve education by measuring the most successful programs.
- Student information is a tool that teachers can use to improve the effectiveness of their instruction.
- Student information can be used to grade how well different schools are performing

10. Student information can sometimes be used for various purposes to respond to student's needs on an individual basis.

Please indicate how convincing, if at all, the following reasons are for using personalized student information to improve education. Select one: Not at all convincing, Not very convincing, Somewhat convincing, Very convincing

- Student information can help to personalize the learning process by identifying strengths and weaknesses of individual students.
- Student information can be used to help identify students who are struggling so that schools can provide appropriate support earlier.
- Student information can be used to build profiles on individual students such as those used to predict best fits for future vocations or professions.

**11. There are many ways student information could potentially be used *in addition to direct educational purposes*.**

**Please indicate to what degree you would support or oppose using student data or information in each of the following ways. Select one: Strongly oppose, Somewhat oppose, Somewhat support, Strongly support**

- To evaluate the effectiveness of education services
- To measure student progress through the years of their education
- To help companies to develop more effective educational products and services
- To help companies market related educational products and services to students
- To help companies market related educational products and services to parents
- To help companies to offer more targeted ads
- To help colleges send information to students they wish to recruit

**12. An electronic education record is the digital record of your child's school-related information, including items such as grades and attendance, as well as a record of performance and results via school-required technology that is used for the academic mission of the school.**

**Regarding the handling of student electronic education records *when maintained and used by schools and their partners*, please indicate how much you agree or disagree with each of the following statements, thinking about your oldest child currently attending public school. Select one: Strongly disagree, Somewhat disagree, Somewhat agree, Strongly agree**

**Privacy & Security**

- I am comfortable with a properly-protected electronic education record being created for my child.
- I have concerns that my child's electronic education record could be hacked or stolen.
- I am more likely to support collecting and using the data in an electronic record if I know a school and/or educational service provider is required to ensure security.
- I should be informed with whom and for what purpose my child's record is shared

**Benefits & Discriminatory Use**

- I believe a properly-protected electronic education record would be a valuable tool for improving my child's education opportunities.
- I am concerned that an electronic education record would be used in the future against my child, by a college or an employer.
- I am more likely to support collecting and using the data in an electronic record, if a school and/or educational service provider are required to use the electronic education record only for education purposes.

**13. Which of the following, if any, do you believe are the best ways to ensure student data is used responsibly by schools and the companies providing educational products and services to them? Please select all that apply.**

- New or additional Federal laws to govern data use
- New or additional State laws to govern data use
- Stronger company Privacy Policies available on web sites that are legally enforceable to restrict data use
- Public commitments by companies to standards for use of student information
- Contractual agreements by schools and companies, shared with parents, about data use
- Other
- None – There is no way to ensure student data is used responsibly by schools and companies.



## About the Future of Privacy Forum

The Future of Privacy Forum (FPF) is a non-profit organization that serves as a catalyst for privacy leadership and scholarship, advancing principled data practices in support of emerging technologies. FPF is led by Internet privacy experts and includes an advisory board comprised of leading figures from industry, academia, law, and advocacy groups. It facilitates discussions with privacy advocates, industry leaders, regulators, legislators (and their staffs), and international representatives.

Data-driven innovations and the use of new technologies are bringing advances in teaching and learning but are also generating concerns about how student data are collected and used. FPF conducts a legal and policy analysis of the benefits and risks of technology and data in schools and is working with stakeholders to ensure responsible practices.

FPF began exploring issues related to student privacy with research and publication of white papers and articles in leading journals: “Student Data: Trust, Transparency and the Role of Consent,” “Who Is Reading Whom Now: Privacy in Education from Books to MOOCs,” and “The Ethics of Student Privacy: Building Trust for Ed Tech” all consider the benefits and risks of the collection and handling of student data in the context of privacy and security concerns.

FPF further expanded into the student data policy area in 2014 with the introduction of FERPA | Sherpa

([www.ferpasherpa.org](http://www.ferpasherpa.org)), a website that compiles education privacy resources and tools with sections aimed at parents and students, schools, service providers, and policymakers. In addition to original tools and resources, this site has aggregated many of the references made available by the Department of Education, as well as other organizations such as Data Quality Campaign, CoSN, Family On-Line Safety Institute, Fordham University School of Law’s Center on Law and Information Policy, Harvard University’s Berkman Center, and the Software & Information Industry Association. FPF continues to create original resources where there are gaps.

FPF continued its work in education with the announcement of the Student Privacy Pledge ([www.studentprivacypledge.org](http://www.studentprivacypledge.org)) for K–12 Ed Tech Providers, in partnership with the Software & Information Industry Association (SIIA) to safeguard student privacy. The Pledge is built around a dozen commitments regarding the collection, maintenance, and use of student personal information. Started with 14 market leaders, the Pledge has since expanded to more than 300 signers and was endorsed by President Obama. FPF has also conducted a series of Student Privacy Boot Camp training events for ed tech vendors, and published the “Parents Guide to Student Privacy Rights” (in partnership with the National PTA and Connect Safely), the “Educator’s Guide to Student Privacy,” and tips and checklists addressing issues particular to student data privacy.

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4 Jules Polonetsky & Joseph Jerome, Future of Privacy Forum, Student Data: Trust, Transparency and the Role of Consent (Oct. 2014), available at [http://www.futureofprivacy.org/wp-content/uploads/FPF\\_Education\\_Consent\\_StudentData\\_Oct2014.pdf](http://www.futureofprivacy.org/wp-content/uploads/FPF_Education_Consent_StudentData_Oct2014.pdf); Jules Polonetsky & Omer Tene, *Who is Reading Whom Now: Privacy in Education from Books to MOOCs*, 17 VAND. J. ENT. & TECH. L. (forthcoming), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2507044](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2507044); Jules Polonetsky & Omar Tene, *The Ethics of Student Privacy: Building Trust for Ed Tech*, INT’L REVIEW OF INFO. ETHICS Vol. 21 (07/2014), available at <http://www.i-r-i-e.net/inhalt/021/IRIE-021-Polonetsky-Tene.pdf>.



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