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Data Suppression Policy for Student Information

Effective: September 3, 2019

Purpose

The purpose of this policy is to ensure the protection of private data on students when releasing summary data about Maryland's institutions and students.¹ This policy is for the Maryland Higher Education Commission's Office of Research and Policy Analysis reporting; this policy does not affect the data collected from institutions by the Commission, as outlined in statute.²

Increased attention to education data has led to an expansion in the amount of information on students and institutions reported by the Maryland Higher Education Commission (MHEC). Such reports offer a challenge of meeting reporting requirements while also meeting legal requirements to protect each student's personally identifiable information ([Family Educational Rights and Privacy Act \[FERPA\]](#)) (20 U.S.C. § 1232g; 34 CFR Part 99). Recognizing this, subgroup disaggregation of the data may not be published if the results would yield personally identifiable information about an individual student (or if the number of students in a category is insufficient to yield statistically reliable information).

Terms and Definitions

- **Directory Information:** Directory information is information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. FERPA generally permits disclosure of directory information (see 34 CFR § 99.3 and 34 CFR § 99.37). MHEC will report enrollment, degree, and completion data in aggregated form without suppression, recognizing it as directory information.
- **FERPA:** The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents the right to have access to their children's education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records. When a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student ("eligible student"). The FERPA statute is found at 20 U.S.C. § 1232g and the FERPA regulations are found at 34 CFR Part 99.
- **Outcome Measure:** Outcome measures refer to the student's educational experiences that are recorded in the student's educational records. For example, student grades, courses completed, scores on standardized assessments, participation in extracurricular activities, and disciplinary actions are commonly reported measures of student outcomes.
- **Personally identifiable information (PII):** Personally identifiable information for education records is a FERPA term referring to identifiable information that is maintained in education records and includes direct identifiers, such as a student's name or identification number, and indirect identifiers, such as a student's date of birth, or other information which can be used to distinguish or trace an individual's identity either directly or indirectly through linkages with other information. [See Family Educational Rights and Privacy Act Regulations, 34 CFR §99.3](#), for a complete definition of PII specific to education records and for examples of other data elements that are defined to constitute

¹ This formal policy went into effect September 3, 2019.

² Code of Maryland, Education Article (§11-105)

<http://mgaleg.maryland.gov/webmga/frmStatutes.aspx?pid=statpage&tab=subject5>

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PII. Additional information is available in the PTAC publication Protecting Student Privacy While Using Online Educational Services.³

- **Summary Data:** Statistical records and reports aggregated from data on individuals in a way that individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.
- **Suppression:** Suppression is a disclosure limitation method which involves removing data (e.g., from a cell or a row in a table) to prevent the identification of individuals in small groups or those with unique characteristics. *Complementary suppression* or *secondary suppression* is a disclosure limitation where one or more non-sensitive cells or rows is also suppressed so that the values of the suppressed cells cannot be calculated.

Scope

This policy applies to all reports generated by MHEC, by MHEC's contractors, and by third parties working on MHEC's behalf. This policy does not apply to data shared with employees of MHEC or contractors of MHEC.

MHEC may release summary data, including aggregate student counts for all groups including those of less than 10. These summary data may include Directory Information on enrollment, major, and completion. However, MHEC will not release any *other information* regarding these groups.

Other information is defined as information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the institution or community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Other information may include, but is not limited to: gender, race/ethnicity, and citizenship. *Other information* also includes aid awarded for some financial aid programs, that by their nature, risk disclosure (e.g., Tuition Waiver for Unaccompanied Homeless Youth, Tuition Waiver for Students with Disabilities).

MHEC will suppress *other information* for aggregate student counts of less than 10 for the following reasons:

- the information could identify an individual,
- the report will be released to an audience that includes recipients other than individuals to whom MHEC may disclose personally identifiable information pursuant to federal or state law,
- the number of students in a grouping is 100% of all students, or the number of students in a suppressed cell can be derived from existing information.

Individuals and organizations to which MHEC discloses information will be directed that its re-disclosure to anyone who is not authorized to receive that information under state and/or federal law is prohibited. Disclosure of data by the Maryland Higher Education Commission is subject to the Family Educational Rights and Privacy Act (34 CFR Part 99.31).

Additionally, any use of education records by another state agency, its employees, agents, or contractors is subject to and shall be consistent with applicable provisions of the Family Educational Rights and Privacy Act (FERPA) including, but not limited to, FERPA regulations at 34 C.F.R. § 99.32 through 99.35, regarding recordkeeping, re-disclosure, and destruction of education records.

³ MHEC receives the following PII in unit record files: student first, middle and last name, generational suffix, personal ID (e.g., social security number), birth date, zip code, SASID (Maryland student ID), campus identifier. All but zip code and birthdate are stripped from files for Research purposes as a means to de-identify the data.

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Best Practices in Reporting

The practices described below outline processes and steps taken to provide useful state-, segment-, and institution-level data and also protect students' personally identifiable information. This guidance is taken, in part from the U.S. Department of Education's SLDS Technical Brief (NCES-2011-603), [*Statistical Methods for Protecting Personally Identifiable Information in Aggregate Reporting*](#).

1. MHEC may release summary data, including aggregate student counts for all groups including those of less than 10. These summary data may include Directory Information on enrollment, major, and completion. However, MHEC will not release any *other information* regarding these group. See "other information" description in the "Scope" section above for more information.
2. **When suppressing, use a minimum of 10 students for the reporting subgroup size limitation.**

Subgroups

 - a. Suppress results for all reporting groups with 0 to 9 students.
 - b. Suppress results for reporting subgroups with 0 to 9 students and suppress each of the related reporting subgroups regardless of the number of students in the subgroup (i.e., suppress the other subgroup(s) of the set of subgroups that sum to the overall group). In instances with 3 or more subgroups, the subgroups with 0 to 9 students can be combined with each other or with the smallest reportable subgroup to form an aggregated subgroup of 10 or more students to allow for the reporting of data for larger subgroups. For example, with small subgroups of racial and ethnic minorities, MHEC may aggregate those subgroups in a "minority" or "other" category.
 - c. Suppress rates or proportions derived from those suppressed counts.
3. Use complementary or secondary suppression as needed to assure that suppressed cells cannot be recalculated through subtraction.
4. When possible, aggregate data to segment or statewide level to minimize the need for suppression.
5. Use only whole numbers when reporting the percentage of students for each category of an outcome measure (e.g., the percentage assessed).
6. Consider eliminating totals or subtotals as a means to reduce or remove the need for suppression; this aids in assuring suppressed cells cannot be recalculated through subtraction.

Maryland Higher Education Materials that May Have Suppressed Data

The Annual Data Book

Trends in Enrollment by Race and Gender

Enrollment by Place of Residence

Trends in Degrees by Race and Gender

Retention, Graduation, and Transfer Reports for Maryland Community Colleges and Public Four-Year Institutions

Maryland Student Financial Support Reports

Student Outcome and Achievement Studies (SOAR)

Report on Campus Climate and Sexual Violence at Maryland Colleges and Universities

The Cultural Diversity Report Trend and Snapshot Data Tables

Maryland Higher Education Commission website

Joint Chairmen's Reports and Legislative Reports