

Memorandum of Understanding for Sharing of Student Data

between the Nebraska Department of Education, the University of Nebraska,  
the Nebraska State Colleges, and the Nebraska Community Colleges

The Nebraska State Board of Education, the Board of Regents for the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the Board of Governors for each Community College Area (hereinafter "Organizations") agree to share student data for the purposes of evaluation of and research related to public prekindergarten, elementary, secondary, and postsecondary education to improve education in Nebraska.

The Organizations agree to share data in a manner that safeguards the confidentiality of personally identifiable information in students' education records as defined by the federal Family Education Rights and Privacy Act (FERPA) and any other applicable federal or state laws and regulations. FERPA establishes restrictions on the disclosure and re-disclosure of personally identifiable information in students' education records without the written consent of the parent or eligible student. FERPA permits student information to be used by state educational authorities for the purposes of the evaluation of state or federally supported education programs, and/or conducting research for or on behalf of the state supported schools to improve education.

The Organizations agree to share certain student data under the following stipulations:

1. The Organizations agree to provide individual student data including, but not limited to; demographic, enrollment and completion/degree information.
2. The data, including any personally identifiable student information, will be used for the purposes of evaluating the state's education system, including the prekindergarten through postsecondary levels, and researching the same to improve instruction and education, to align resources to strategic objectives, to inform educational policy development, and to ascertain the attainment of state educational goals.
3. The student data will be maintained in a secure environment by the Organizations and shall not be shared with other parties, entities, or state agencies except as provided herein.
4. The individual student data will not be released outside any of the participating Organizations unless otherwise permitted by law.
5. The participating Organizations will maintain a record of those individuals who are allowed access to the data and shall assure that each person is fully cognizant of the restrictions placed upon use of the data and the restrictions upon its disclosure.

6. The participating Organizations will limit access to student data to those authorized officials, employees and agents of a participating Organization who require the data to develop, share, maintain, analyze and evaluate information for the purposes outlined in this agreement.
7. No external release of reports or information based on the data will include any information that is determined to likely constitute personally identifiable information from an education record of a student unless such release is allowed by FERPA.
8. No compensation will be exchanged between the Organizations for participation in this agreement.
9. The Nebraska Department of Education will maintain the prekindergarten through postsecondary data warehouse to carry out the purposes of this agreement.
10. The Organizations agree that decisions related to the creation, operations, maintenance, and reporting of student data from the prekindergarten through postsecondary data warehouse will be carried out by the data governing council created herein with the following representation:
  - a. Commissioner of Education, or his or her designee;
  - b. President of the University of Nebraska, or his or her designee;
  - c. Chancellor of the Nebraska State College System, or his or her designee;
  - and
  - d. The Executive Director of the Nebraska Community College Association or successor organization, or his or her designee.

The data governing council shall further define, and may expand upon, the data to be shared. Any reports generated with data from the data warehouse will be reviewed by the data governing council prior to their release. The data governing council will establish appropriate guidance and a process regarding timely submission of data release reports so that adequate time is allowed for review of any report prior to the release date of a report.

11. This agreement shall take effect upon completion of signatures and remain in effect unless amended by all the Organizations.