Appendix A Studies Addressing Issues Relevant to NCES' Postsecondary Longitudinal and Sample Surveys Studies Program

UNANNOTATED BIBLIOGRAPHY Arranged alphabetically by year

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B.1 Develop Linkages with Administrative Data Sources

Linkages will be developed with existing data sources to supplement the 2012 National Postsecondary Student Aid Study (NPSAS:12) interview data. NCES recognizes the great value added to the NPSAS:12 data file with the addition of data from specific administrative data sources. Certain data (for example, specific financial aid amounts and associated dates) can only be accurately obtained from sources other than the student or parent. Our postsecondary studies, including previous NPSAS studies, Beginning Postsecondary Student (BPS), and Baccalaureate and Beyond (B&B), have included file merges with many existing sources of valuable data, including Department of Education's (ED) Central Processing System (CPS) for Free Application for Federal Student Aid (FAFSA) data, the National Student Loan Data System (NSLDS), and ACT. For this study, we plan to perform file merges with the following datasets: CPS, NSLDS, American College Testing (ACT), SAT (the College Board), and National Student Clearinghouse.

The Family Educational Rights and Privacy Act (FERPA), (34 CFR Part 99) allows the disclosure of information without prior consent for the purposes of NPSAS:12 according to the following excerpts: 99.31 asks "Under what conditions is prior consent not required to disclose information?" and explains in 99.31 (a) "an educational agency or institution may disclose personally identifiable information from an education record of a student without the consent required by 99.30 if the disclosure meets one or more specific conditions. NPSAS:12 collection falls under:

Sec. 99.31 (a)(3). The disclosure is, subject to the requirements of Sec. 99.35, to authorized representatives of--

- (i) The Comptroller General of the United States;
- (ii) The Attorney General of the United States;
- (iii) The Secretary; or
- (iv) State and local educational authorities.

NPSAS:12 is collecting data under the Secretary's authority. The personally identifiable information is collected from student record systems with adherence to the security protocol detailed in 99.35: "What conditions apply to disclosure of information for Federal or State program purposes?"

- (a)(1) Authorized representatives of the officials or agencies headed by officials listed in Sec. 99.31(a)(3) may have access to education records in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs.
- (2) Authority for an agency or official listed in Sec. 99.31(a)(3) to conduct an audit, evaluation, or compliance or enforcement activity is not conferred by the Act or this part and must be established under other Federal, State, or local authority.
- (b) Information that is collected under paragraph (a) of this section must:
- (1) Be protected in a manner that does not permit personal identification of individuals by anyone other than the officials or agencies headed by officials referred to in paragraph (a) of this section, except that those officials and agencies may make further disclosures of

personally identifiable information from education records on behalf of the educational agency or institution in accordance with the requirements of Sec. 99.33(b); and

- (2) Be destroyed when no longer needed for the purposes listed in paragraph (a) of this section.
- (c) Paragraph (b) of this section does not apply if:
- (1) The parent or eligible student has given written consent for the disclosure under Sec. 99.30; or
- (2) The collection of personally identifiable information is specifically authorized by Federal law.

As part of initial sampling activities, we will ask participating institutions to provide SSNs for all students on their enrollment list. Having an initial list of all student SSNs minimizes the time and burden on both the institutions and the data collection contractor. Institutions will only have to provide one enrollment list; if the SSNs were provided only for those students selected, the institutions would have to provide two separate enrollment lists. Immediately after the student sample is selected, the SSNs for non-selected students will be securely discarded.

Secure Data Transfers. NCES has set up a secure data transfer system, using the NCES member site with Secure Sockets Layer (SSL) technology, described above. The contractor will use this electronic system for submitting data containing potentially identifying information (such as SSNs, names, and dates of birth of our sample members) along with their survey ID (not the same ID that is available on the restricted-use data). Before being transmitted, files will be encrypted using FIPS 140-2 validated encryption tools. Data will be received from the NCES system as well. The system requires that both parties to the transfer be registered users of the NCES Members Site and that their Members Site privileges be set to allow use of the secure data transfer service as described above. This process will be used for all file matching procedures described below, except in instances when the vendor already has a secure data transfer system in place.

B.2 File Merge with ED Central Processing System (CPS)

File merges will be performed with the CPS data containing federal student aid application information by the data collection contractor. The merge with CPS can occur at any time for any number of cases, provided that the case has an apparently valid SSN associated with it. A file will be sent to CPS and in return a large data file containing all students who applied for federal aid will be received. The data collection contractor has programs and procedures in place to prepare and submit files according to rigorous CPS standards, and to receive and process data obtained from CPS.

A file will be electronically uploaded on the FAFSA secure web-site for matching which contains SSN and the first 2 letters of the sample member's last name (but no other information). Access to the site for the upload is restricted to authorized users who are registered and provide identification/authentication information (SSN, DOB, and personal identification number [PIN]) to the FAFSA data site. The file is retrieved by the Central Processing System or CPS (the FAFSA contractor data system) for linkage. The linked file, containing student aid applications for matched records, is then made available to us only through a secure connection (EdConnect)

which requires username and password. All CPS files will be processed, edited, and documented for inclusion on the analytic data files.

The CPS data obtained for the NPSAS:12 data collection will cover academic years beginning with 2010–2011. All CPS files will be processed, edited, and documented for inclusion in the Electronic Codebook (ECB).

B.3 File Merge with National Student Loan Data System Disbursement

A file merge will be conducted with the NSLDS to collect federal loan and Pell grant data for the 2010–2011 award year by the data collection contractor. The resulting file will contain cumulative amounts for each student's entire postsecondary education enrollment. NCES has set up a secure data transfer system that uses their NCES member site and Secure Sockets Laver (SSL) technology. The system requires that both parties to the transfer be registered users of the NCES Members Site and that their Members Site privileges be set to allow use of the secure data transfer service. These privileges are set up and carefully controlled by the ED's Institute of Education Sciences (IES) NCES Chief Technology Officer (CTO). This service has been designed by ED/NCES specifically for the secure transfer of electronic files containing personally identifying information (i.e., data protected under the Privacy Act or otherwise posing risk of disclosure) and can be used for NCES-to-Contractor; Contractor-to-Subcontractor; Subcontractor-to-Contractor; and Contractor-to-Other-Agency data transfers. The party uploading the information onto the secure server at NCES is responsible for deleting the file(s) after the successful transfer has been confirmed. Data transfers using this system will include notification to the ED/IES, the NCES CTO, and the NCES Deputy Commissioner as well as the ED/NCES project officer. The notification will include the names and affiliations of the parties in the data exchange/transfer and the nature and approximate size of the data to be transferred. Programs have been developed to create the files for the merge and also to read the data receive. All matching processes are initiated by the data collection staff providing a file with one record per sample member to be merged.

B.4 File Merge with ACT

To obtain valuable admissions test data, a file merge will be performed with American College Testing (ACT) data by the data collection contractor. The approach for this file matching will be similar to those described in the sections on CPS and NSLDS file merging. This matching process has been used for NPSAS since NPSAS:96.

Matching of students to ACT requires Social Security number (SSN), name and date of birth to assist the data vendor in performing confirmatory data quality checks. This process will be initiated by providing a file with one record per SSN. The same procedures will be used as described above for the NSLDS linkage: creating a password-protected, encrypted file using FIPS 140-2 validated encryption tools; uploading the electronic file on the NCES server for pick-up by ACT. ACT will process the data on their database and provide the matched data on the NCES server for our secure download. This file merge will only be conducted during the full-scale study.

B.5 File Merge with the College Board

To obtain SAT data, a file merge will be performed with the College Board by the data collection contractor. Matching of students to SAT data requires Social Security number (SSN), name and date of birth to assist the data vendor in performing confirmatory data quality checks.

This process will be initiated by providing a file with one record per SSN. The same procedures will be used as described above for the NSLDS linkage: creating a password-protected, encrypted file using FIPS 140-2 validated encryption tools; uploading the electronic file on the NCES server for pick-up by the College Board. The College Board will process the data on their database and provide the matched data on the NCES server for our secure download. This file merge will only be conducted during the full-scale study.

B.6 File Merge with the National Student Clearinghouse

The National Student Clearinghouse will be used to obtain the *Student Tracker* data on institutions attended, enrollment dates, and degree completions for the NPSAS:12 sample.

The data collection contractor will first set up an account with the Clearinghouse which will enable sending and receiving of files securely over encrypted FTPS connections. The file containing sensitive student identifiers (name, date of birth, and Social Security number) will be encrypted using FIPS 140-2 validated encryption tools then submitted to the Clearinghouse using their secure FTP site. All files received by the Clearinghouse will be securely stored using FIPS 140-2 validated AES encryption, the US federal encryption standard. Matched files, containing data on enrollment dates, institution names, and degrees completed, will be returned to the data collection contractor using the same secure FTP site. This file merge will only be conducted during the full-scale study.

B.7 Processing Administrative Data

With the exception of the early matching activities to improve FTB identification and one initial merge with CPS data prior to computer assisted data entry (CADE), we propose to send files for matching after CADE data collection to ensure the availability of the maximum number of verified Social Security numbers and to facilitate the batch mode processing that is suitable to many of these resources. We may need to match to a source (for example, CPS or NSLDS) more than once.

The data from all of these sources, as allowed by the vendor, will be delivered in the ECB and will be useful for creating derived variables. These derived variables will also be available on Powerstats and Quickstats. Both direct-pull and derived variables will be documented thoroughly for the ECB, Powerstats, and Quickstats.

Appendix C Technical Review Panel Contact List

2011-12 National PostSecondary Student Aid Study (NPSAS:12) Technical Review Panel

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Data Security Requirements

- a) Contractor shall use data supplied to them by Company for the specific purpose included in the corresponding Statements of Work only.
- b) Contractor will protect all data supplied to them by Company as specifically stated in Exhibit C, attached.
- c) Unless otherwise agreed to, Contractor will promptly and properly destroy data supplied to them by Company upon the Statement of Work completion date.

EXHIBIT C COMPANY INFORMATION SECURITY REQUIREMENTS

A. Definitions.

"Business Contact Information" is defined as name, job title, department name, company name, business telephone, business fax number, and business email address.

"COMPANY Confidential Information" as defined in the Agreement.

"Information Processing System(s)" is defined as the individual and collective electronic, mechanical, or software components of CONTRACTOR operations that store and/or process COMPANY Confidential Information.

"Information Security Event" is defined as any situation where COMPANY Confidential Information is lost; is subject to unauthorized or inappropriate access, use, or misuse; the security, confidentiality, or integrity of the information is compromised; or the availability of CONTRACTOR Information Processing Systems is compromised by external attack.

"Security Breach" is defined as an unauthorized access to CONTRACTOR's facilities, Information Processing Systems or networks used to service, store, or access COMPANY Confidential Information, provided such unauthorized access exposes COMPANY Confidential Information or provided CONTRACTOR is required to report such unauthorized access to appropriate legal or regulatory agencies or affected COMPANY members.

"Industry best practice" is defined by the information security guidelines prepared by the PCI Security Standards Council and documented in the PCI DSS requirements as well as standards and guidelines prepared by the Federal Financial Institutions Examination Council (FFIEC)

B. Security and Confidentiality.

Before receiving, or continuing to receive, COMPANY Confidential Information, CONTRACTOR will implement and maintain an information security program that ensures: 1) COMPANY's Confidential Information and CONTRACTOR's Information Processing Systems are protected from internal and external security threats; and 2) that COMPANY Confidential Information is protected from unauthorized disclosure.

C. <u>Security Policy.</u>

- a. <u>Formal Security Policy.</u> Consistent with the requirement of this Attachment, CONTRACTOR will create an information security policy that is approved by CONTRACTOR's management, published and communicated to all CONTRACTOR's employees. Such information security policy may be reviewed by COMPANY at CONTRACTOR's place of business pursuant to confidentiality obligations.
- b. <u>Security Policy Review.</u> CONTRACTOR will review the information security policy at planned intervals or if significant changes occur to ensure its continuing suitability, adequacy, and effectiveness.

D. <u>Asset Management.</u>

- a. <u>Asset Inventory.</u> CONTRACTOR shall have the ability to identify the location of all CONTRACTOR Information Processing Systems and media containing COMPANY Confidential Information.
- b. <u>Acceptable Use.</u> CONTRACTOR will implement rules for the acceptable use of information and assets which is no less restrictive than industry best practice and consistent with the requirements of this Attachment.
- c. <u>Equipment Use While on COMPANY Premises.</u> While on COMPANY's premises, CONTRACTOR will not connect hardware (physically or via a wireless connection) to COMPANY systems unless necessary for CONTRACTOR to perform Services under this Agreement. This hardware must be inspected / scanned by COMPANY before use.
- d. <u>Portable Devices.</u> COMPANY Confidential Information, with the exception of Business Contact Information, may not be stored on portable devices including, but not limited to, laptops, external hard drives, Personal Digital Assistants, MP3 devices, and USB devices.
- e. <u>Personally-owned Equipment.</u> COMPANY Confidential Information, with the exception of Business Contact Information, may not be stored on personally-owned equipment.

E. <u>Human Resources Security.</u>

- a. <u>Security Awareness Training.</u> Prior to CONTRACTOR employees receiving access to COMPANY Confidential Information, they will receive security awareness training appropriate to their job function. CONTRACTOR will also ensure that recurring security awareness training is performed.
- b. <u>Removal of access Rights.</u> The access rights of all CONTRACTOR employees to CONTRACTOR Information Processing Systems or media containing COMPANY Confidential Information will be removed immediately upon termination of their employment, contract or agreement, or adjusted upon change.

F. <u>Physical and Environmental Security.</u>

a. <u>Secure Areas.</u> CONTRACTOR will secure all areas, including loading docks, holding areas, telecommunications areas, cabling areas and off-site areas that

contain Information Processing Systems or media containing COMPANY Confidential Information by the use of appropriate security controls in order to ensure that only authorized personnel are allowed access and to prevent damage and interference. The following controls will be implemented:

- i. Access will be controlled and restricted by use of a defined security perimeter, appropriate security barriers, entry controls and authentication controls. A record of all accesses will be securely maintained.
- ii. All personnel will be required to wear some form of visible identification to identify them as employees, contractors, visitors, et cetera.
- iii. Visitors to secure areas will be supervised, or cleared for non-escorted accessed via an appropriate background check. Their date and time of entry and departure will be recorded.
- b. <u>Environmental Security.</u> CONTRACTOR will protect equipment from power failures and other disruptions caused by failures in supporting utilities.

G. <u>Communications and Operations Management.</u>

- a. <u>Protections Against Malicious Code.</u> CONTRACTOR will implement detection, prevention, and recovery controls to protect against malicious software, which is no less than current industry best practice and perform appropriate employee training on the prevention and detection of malicious software.
- <u>Back-ups.</u> CONTRACTOR will perform appropriate back-ups of CONTRACTOR Information Processing Systems and media containing COMPANY Confidential Information as required in order to ensure services and service levels described in this Statement of Work.
- c. <u>Media and Information Handling</u>. CONTRACTOR will protect against unauthorized access or misuse of COMPANY Confidential Information contained on media by use of a media control management program and provide a copy of the program to COMPANY.
 - COMPANY input and result code data can be stored as Audit Data in a SQLServer table. All Audit Data on this SQLServer table can only be accessed for up to 180 days. After 180 days the Audit Data in the SQLServer table is automatically destroyed.
- d. <u>Media and Information Disposal</u>. CONTRACTOR will securely and safely dispose of COMPANY Confidential Information that resides on media (including but not limited to hard copies, disks, CDs, DVDs, optical disks, USB devices, hard drives) upon the Statement of Work completion date using establishment of procedures to include, but not be limited to:
 - i. Disposing of COMPANY Confidential Information on mediaso that it is rendered unreadable or undecipherable, such as by burning, shredding, pulverizing or overwriting in compliance with DoD Standard 5220.22-M.
 - ii. Maintaining a secured disposal log that provides an audit trail of disposal activities.

- iii. Purging COMPANY Confidential Information from all CONTRACTOR's physical storage mediums (filing cabinets, drawers, et cetera.) and from all Information Processing Systems, including back-up systems, within thirty (30) days of the latest occurrence of following: upon termination of this agreement; or as soon as the COMPANY Confidential Information is no longer required to perform services under this Statement of Work.
- iv. Providing a Certificate of Destruction to COMPANY certifying that all COMPANY Confidential Information was purged. The certificate will be provided to COMPANY within ten (10) business days after the information was purged.
- e. <u>Exchange of Information.</u> To protect confidentiality and integrity of COMPANY Confidential Information in transit, CONTRACTOR will:
 - i. Perform an inventory, analysis and risk assessment of all data exchange channels (including but not limited to FTP, HTTP, HTTPS, SMTP, modem, and fax) to identify and mitigate risks to COMPANY Confidential Information from these channels.
 - ii. Monitor and inspect all data exchange channels to detect unauthorized information releases.
 - iii. Ensure that appropriate security controls using approved data exchange channels are employed when exchanging COMPANY Confidential Information.
 - iv. If COMPANY Confidential Information can only be sent to CONTRACTOR electronically, then CONTRACTOR must employ industry standard encryption security measures (minimum standard of NIST's FIPS 140-2) to encrypt COMPANY Confidential Information prior to transmitting via the Internet. Otherwise, COMPANY Confidential Information can only be sent to CONTRACTOR using an encrypted (minimum standard NIST's FIPS 140-2) CD-ROM sent via courier service with a tracking number.
 - v. Ensure that information (including persistent cookies) about COMPANY customers, members or employees is not harvested by CONTRACTOR web pages except for purposes of this Agreement.
- f. <u>Monitoring.</u> To protect against unauthorized access or misuse of COMPANY Confidential Information residing on CONTRACTOR Information Processing Systems, CONTRACTOR will:
 - i. Employ current industry best practice security controls and tools to monitor Information Processing Systems and log user activities, exceptions, unauthorized information processing activities, suspicious activities and information security events. Logging facilities and log information will be protected against tampering and unauthorized access. Logs will be kept for at least 90 days.
 - ii. Perform frequent reviews of logs and take necessary actions to protect against unauthorized access or misuse of COMPANY Confidential Information.

- iii. At COMPANY's request, make logs available to COMPANY to assist in investigations of security breaches.
- iv. Comply with all relevant legal requirements applicable to monitoring and logging activities.
- v. Ensure that the clocks of all relevant information processing systems are synchronized using a national or international time source.

H. Access Control.

- a. <u>User access Management.</u> To protect against unauthorized access or misuse of COMPANY Confidential Information residing on CONTRACTOR Information Processing Systems, CONTRACTOR will:
 - i. Employ a formal user registration and de-registration procedure for granting and revoking access and access rights to all CONTRACTOR Information Processing Systems.
 - ii. Employ a formal password management process.
 - iii. Perform recurring reviews of users' access and access rights to ensure that they are appropriate for the users' role.
- b. <u>User Responsibilities.</u> To protect against unauthorized access or misuse of COMPANY Confidential Information residing on CONTRACTOR Information Processing Systems, CONTRACTOR will:
 - i. Ensure that CONTRACTOR Information Processing Systems users follow current security practices in the selection and use of strong passwords.
 - ii. Ensure that unattended equipment has appropriate protection to prohibit access and use by unauthorized individuals.
 - iii. Ensure that COMPANY Confidential Information contained at workstations, including but not limited to paper and on display screens is protected from unauthorized access.
- c. <u>Network access Control.</u> access to internal, external, and public network services that allow access to CONTRACTOR Information Processing Systems shall be controlled. CONTRACTOR will:
 - i. Ensure that current industry best practice standard authentication mechanisms for network users and equipment are in place and updated as necessary.
 - ii. Ensure electronic perimeter controls are in place to protect CONTRACTOR Information Processing Systems from unauthorized access.
 - iii. Ensure authentication methods are used to control access by remote users.
 - iv. Ensure physical and logical access to diagnostic and configuration ports is controlled.

- d. <u>Operating System access Control.</u> To protect against unauthorized access or misuse of COMPANY Confidential Information residing on CONTRACTOR Information Processing Systems, CONTRACTOR will:
 - i. Ensure that access to operating systems is controlled by a secure log-on procedure.
 - ii. Ensure that CONTRACTOR Information Processing System users have a unique identifier (user ID).
 - iii. Ensure that the use of utility programs that are capable of overriding system and application controls are highly restricted and tightly controlled.
 - iv. Ensure that inactive sessions are shut down when technically possible after a defined period of inactivity.
 - v. Employ restrictions on connection times when technically possible to provide additional security for high risk applications.
- e. <u>Mobile Computing and Remote Working.</u> To protect COMPANY Confidential Information residing on CONTRACTOR Information Processing Systems from the risks inherent in mobile computing and remote working, CONTRACTOR will:
 - Perform a risk assessment to identify and mitigate risks to COMPANY
 Confidential Information from residing on mobile computing and remote access systems.
 - ii. Develop a policy, operational plans and procedures for managing mobile computing and remote access systems to ensure that COMPANY Confidential Information does not reside on or are used on these systems.
- I. <u>Information Systems Acquisition, Development and Maintenance.</u>
 - a. <u>Security of System Files.</u> To protect CONTRACTOR Information Processing Systems and system files containing COMPANY Confidential Information, CONTRACTOR will ensure that access to source code is restricted to authorized users who have a direct need to know.
 - b. <u>Security in Development and Support Processes</u>. To protect CONTRACTOR Information Processing Systems and system files containing COMPANY Confidential Information, CONTRACTOR will:
 - i. Ensure that the implementation of changes is controlled by the use of formal change control procedures.
 - ii. Employ industry best practice security controls to minimize information leakage.
 - iii. Employ oversight quality controls and security management of outsourced software development.
- J. <u>Information Security Incident Management.</u>

Reporting Information Security Events and Weaknesses. To protect CONTRACTOR Information Processing Systems and system files containing COMPANY Confidential Information, CONTRACTOR will, in the event that Contractor becomes aware of (or reasonably suspects) that any information and data obtained pursuant to the Services has been compromised in any manner, immediately notify Company via email or telephone call and follow-up on the incident in writing and provide all requested information about the event. For purposes of this obligation, "compromise" includes suspected or known incidents without limitation: (i) any unauthorized access to information and data obtained pursuant to the Services, (ii) any inadvertent disclosure of information and data obtained pursuant to the Services to any third party, (iii) any known or suspected misuse of information and data obtained pursuant to the Services by any person (even if such person was authorized to access such information or data), (iv) any suspected use of information and data obtained pursuant to the Services by any person outside of the scope of that person's authority, and (v) any known or suspected alteration of information and data obtained pursuant to the Services other than as required or permitted by this Agreement.

- a. Information Security Events and Security Breaches: Contractor shall
 - i. Implement a process to ensure that Information Security Events and Security Breaches are reported through appropriate management channels as quickly as possible.
 - ii. Train all employees of information systems and services how to report any observed or suspected Information Security Events and Security Breaches.
 - iii. Notify COMPANY by email (JDavis@RTI.org or by phone (800-334-8571) immediately of all suspected Information Security Events and Security Breaches. Following any such event or breach, CONTRACTOR will promptly notify COMPANY as to the COMPANY Confidential Information affected and the details of the event or breach.

K. Business Continuity Management.

- a. <u>Business Continuity Management Program.</u> In order to ensure services and service levels described in this agreement, CONTRACTOR will:
 - i. Develop and maintain a process for business continuity throughout the organization that addresses the information security requirements needed for the CONTRACTOR's business continuity so that the provision of products and/or services provided under the Agreement to COMPANY is uninterrupted.
 - ii. Identify events that can cause interruptions to business processes, along with the probability and impact of such interruptions and their consequences for information security.
 - iii. Develop and implement plans to maintain or restore operations and ensure availability of information at the required level and in the required time scales following interruption to, or failure of, critical business processes and provide COMPANY a copy of the same.

iv. Test and update Business Continuity Plans regularly to ensure that they are up-to-date and effective.

L. <u>Security Assessments.</u>

- a. <u>Initial and Recurring Security Assessments.</u> CONTRACTOR will permit COMPANY representatives to perform an on-site physical and logical Security Assessment of CONTRACTOR's data processing and business facilities prior to the release of COMPANY Confidential Information and each year thereafter. Security Assessments will be performed during regular business hours, at a date and time agreed to by both parties, and will not require online access to CONTRACTOR's Information Processing Systems.
- b. <u>Security Assessments Following Information Security Events and Security Breaches.</u> Following the occurrence of an Information Security Event or Security Breach, CONTRACTOR will permit COMPANY representatives to perform an on-site physical and logical Security Assessment of CONTRACTOR's data processing and business facilities to assess the impact of the event or breach even if a Security Assessment has been completed within the year.
- c. <u>Security Assessment Findings.</u> Upon completion of a Security Assessment, COMPANY will provide CONTRACTOR with a Security Assessment completion letter that summarizes COMPANY's Security Assessment findings. These findings may identify critical security deficiencies identified as "Mandatory" that require immediate correction before COMPANY can release, or continue to release, COMPANY Confidential Information to CONTRACTOR. CONTRACTOR will implement and continue to maintain all mutually agreed upon "Mandatory" security findings. If mutual agreement to "Mandatory" security findings cannot be reached, then these issues may be escalated using the dispute resolution provisions within this Agreement.

Appendix E Confidentiality

CONFIDENTIALITY AGREEMENT 2011-12 National Postsecondary Student Aid Study (NPSAS:12) (RTI Under Contract No. ED-IES-09-C-0039)

Safeguards for Individuals Against Invasion of Privacy: In accordance with the Privacy Act of 1974 (5 United States Code 552a), the Education Sciences Reform Act of 2002 (Public Law 107-279), the Federal Statistical Confidentiality Order of 1997, the E-Government Act of 2002 (Public Law 107-347), the Computer Security Act of 1987, and the National Center for Education Statistics' (NCES') *Restricted Use Data Procedures Manual*, RTI International (RTI) and all its subcontractors are required to comply with the applicable provisions of the legislation, regulations, and guidelines and to undertake all necessary safeguards for individuals against invasions of privacy.

To provide this assurance and these safeguards in performance of work on this project, all staff, consultants, and agents of RTI, and its subcontractors who have any access to study data, shall be bound by the following assurance.

Assurance of Confidentiality

- 1. In accordance with all applicable legislation, regulations, and guidelines, RTI assures all respondents that their responses may be used only for statistical purposes and may not be disclosed, or used, in identifiable form for any other purpose except as required by law [Education Sciences Reform Act of 2002 (ESRA 2002), 20 U.S. Code, § 9573].
- 2. The following safeguards will be implemented to assure that confidentiality is protected as allowable by law (20 U.S.C. § 9573) by all employees, consultants, agents, and representatives of RTI and all subcontractors and that physical security of the records is provided:
 - a. All staff with access to data will take an oath of nondisclosure and sign an affidavit to that effect.
 - At each site where these items are processed or maintained, all confidential records that will permit identification
 of individuals shall be kept in a safe, locked room when not in use or personally attended by project staff.
 - c. When confidential records are not locked, admittance to the room or area in which they reside shall be restricted to staff sworn to confidentiality on this project.
 - d. All electronic data shall be maintained in secure and protected data files, and personally identifying information shall be maintained on separate files from statistical data collected under this contract.
 - e. All data files on network or multi-user systems shall be under strict control of a database manager with access restricted to project staff sworn to confidentiality, and then only on a need-to-know basis.
 - f. All data files on single-user computers shall be password protected and all such machines will be locked and maintained in a locked room when not attended by project staff sworn to confidentiality.
 - g. External electronically stored data files (e.g., tapes on diskettes) shall be maintained in a locked storage device in a locked room when not attended by project staff sworn to confidentiality.
 - h. Any data released to the general public shall be appropriately masked or perturbated such that linkages to individually identifying information are protected to avoid individual identification in disclosed data.
 - i. Data or copies of data may not leave the authorized site for any reason.
- 3. Staff, consultants, agents, or RTI and all its subcontractors will take all necessary steps to ensure that the letter and intent of all applicable legislation, regulations, and guidelines are enforced at all times through appropriate qualifications standards for all personnel working on this project and through adequate training and periodic follow-up procedures.

By my signature affixed below, I hereby swear and affirm that I have carefully read this statement and fully understand the statement as well as legislative and regulatory assurances that pertain to the confidential nature of all records to be handled in regard to this project, and will adhere to all safeguards that have been developed to provide such confidentiality. As an employee, consultant, agent, or representative of RTI or one of its subcontractors, consultants, agents, or representatives, I understand that I am prohibited by law from disclosing any such confidential information to anyone other than staff, consultant, agents, or representatives of RTI, its subcontractors, or agents, and NCES. I understand that any willful and knowing individual disclosure or allowance of disclosure in violation of the applicable legislation, regulations, and guidelines is punishable by law and would subject the violator to possible fine or imprisonment.

(Signature)	(RTI Employee ID Number)	(Date)
(Signature)	(RTI Employee ID Number)	(Date)

AFFIDAVIT OF NONDISCLOSURE

2011-12 National Postsecondary Student Aid Study (NPSAS:12) (RTI Under Contract No. ED-IES-09-C-0039)

(Name)			
(Job Ti	tle)		
(Date o	of Assignment to NPSAS:12 Project)		
(Organ	ization, State, or Local Agency or Instrumentality)		
(Addres	ss)		
	, do solemnly sional Postsecondary Student Aid Study (NPSAS:12 vidually identifiable information, I will not:	swear (or affirm) that when given access to any 2011-12 2) project-related data bases or files containing	
(i)	use or reveal any individually identifiable information furnished, acquired, retrieved or assembled by me or others, under the provisions of Section 183 of the Education Sciences Reform Act of 2002 (PL 107-279) and Title V, subtitle A of the E-Government Act of 2002 (PL 107-347) for any purpose other than statistical purposes specified in the NCES survey, project or contract;		
(ii)	make any disclosure or publication whereby a sample unit or survey respondent could be identified or the data furnished by or related to any particular person under this section could be identified; or		
(iii)	permit anyone other than the individuals authorized by the Commissioner of the National Center for Education Statistics to examine the individual reports.		
(Sig	nature)		
not i	e penalty for unlawful disclosure is a fine of not more the more than 5 years [under 18 U.S.C. 3559], or both. The ears when a person elects to affirm the affidavit rather		
Stat	e of		
Cou	nty of		
Sub	scribed and sworn/affirmed before me, County, State of	, a Notary Public in and for, on this date,	
		Notary Public	
Му	commission expires:		

Appendix F Endorsing Associations for NPSAS:12

Endorsing Associations

American Association of Collegiate Registrars and Admissions Officers

American Association of Community Colleges

American Association of State Colleges and Universities

American Council on Education

Association for Institutional Research

Association of American Colleges and Universities

Association of Catholic Colleges and Universities

Association of Private Sector Colleges and Universities

Association of Public and Land-grant Universities

Association of Schools of Allied Health Professions

The Carnegie Foundation for the Advancement of Teaching

The College Board

Council of Graduate Schools

The Council of Independent Colleges

Hispanic Association of Colleges and Universities

Midwestern Higher Education Compact

National Accrediting Commission of Cosmetology Arts and Sciences

National Association of College and University Business Officers

National Association for Equal Opportunity in Higher Education

National Association of Independent Colleges and Universities

National Association of Student Financial Aid Administrators

New England Board of Higher Education

Southern Regional Education Board

State Higher Education Executive Officers

The United Negro College Fund

Western Interstate Commission for Higher Education