

18-13-04**SYSTEM NAME:**

Outcomes of Diversity in Higher Education Surveys.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

National Institute on Postsecondary Education, Libraries, and Lifelong Learning, U.S. Department of Education, 555 New Jersey Avenue, NW., Room 627, Washington, DC 20208-5531. See the Appendix at the end of this system notice for additional system locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains data on the following individuals: (1) Approximately 5500 students who were first-time freshmen in Fall 1998 at 9 four-year institutions of higher education; (2) approximately 300 faculty who teach freshmen at those institutions; and (3) approximately 45 administrators of those institutions. There will be follow-up data for spring of 1999 and spring of 2000 on the initial set of freshmen respondents.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system consists of responses to survey instruments and interview protocols. In addition to background and demographic data, the survey instruments include sets of items concerning perception of institutional commitment to diversity, attitudes, campus climate, knowledge of multiple cultures and pedagogy. The opinions of students, faculty and administrators concerning diversity and multiculturalism are also represented.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

20 U.S.C. 6031 (h) (Supp. 1998).

PURPOSE(S):

The information contained in the system is used for the following purposes: (1) To increase understanding of the effects of diversity in higher education on all students by examining incoming attitudes of first-time freshmen and changes in attitudes and cognitive development concerning issues of diversity and multiculturalism; and (2) to assess pedagogy and student participation, attainment, development, attitudes and knowledge.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The Department may disclose information contained in a record in this system of records without the consent of the individual if the

disclosure is compatible with the purpose for which the record was collected and only as needed to perform one or more of the following routine uses:

(1) *Contract Disclosure*. When OERI intends to contract with a private firm for the purpose of collating, analyzing, aggregating, maintaining, appending, or otherwise refining records in this system, the Director may release relevant records to the contractor. The contractor will be required to maintain safeguards under the Privacy Act of 1974 and under section 406(d)(4) of GEPA (20U.S.C. 1221e-1(d)(4)) with respect to such records.

(2) *Research Disclosure*. Where the Director determines that an individual or organization is qualified to carry out specific research, the Director may disclose information from these systems of records to that researcher solely for the purpose of carrying out that research. The researcher shall be required to maintain Privacy Act of 1974 and 20 U.S.C. 1221e-1(d)(4) safeguards with respect to such records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

The research and location files will be stored on separate computer diskettes.

RETRIEVABILITY:

Aggregate files may be retrieved by title of survey. The location files will be destroyed upon completion of this project as there will be no future need to retrieve an individual record. Only the completed interview protocols will be retained in hard copy by title of individual interviewed at each of the nine institutions.

SAFEGUARDS:

The research files and location files cannot be merged in the form maintained and stored since the identification codes on each file are different. They can be related by use of an encryption algorithm known only to a few staff authorized to work with the data files. When in active use for editing, tabulation and analysis, files of information and identifiers will not be kept together unless necessary for data processing. Tapes, discs and questionnaires will be kept in locked files.

RETENTION AND DISPOSAL:

The records will be kept for five years after the final survey administration, in spring of 2000. In the spring of 2005, the records will be transferred to the Federal Records Center, where, after 15 years, they will be destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, National Institute on Postsecondary Education, Libraries and Lifelong Learning, U.S. Department of Education, 555 New Jersey Avenue, NW., Room 627, Washington, DC 20208-5531.

NOTIFICATION PROCEDURE:

If you wish to determine whether a record exists regarding you, contact the system manager at the address listed above. Your requests must meet the requirements in the regulations at 34 CFR 5b.5.

RECORD ACCESS PROCEDURES:

Same as Notification Procedure.

CONTESTING RECORD PROCEDURES:

If you wish to contest the content of a record, contact the system manager. Any requests to amend a record must meet the requirements of 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

Information in the records comes from the responses to survey instruments.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Appendix to 18-13-04*Additional System Locations*

Mathtech, Inc., 6402 Arlington Blvd., Suite 1200, Falls Church, VA 22042-2356.
Mathtech, Inc., 202 Carnegie Center, Suite 111, Princeton, NJ 08540-6239.
Mathtech, Inc., 180 Pembroke Circle, Phoenixville, PA 19460.

18-14-01**SYSTEM NAME:**

Educationally Disadvantaged Students Attending Private Schools Served Through Bypass Contracts.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Contractor serving the State of Virginia: Nonpublic Educational Services, Inc., 14416 Jefferson Davis Highway, Suite 11, Woodbridge, VA 22191.

Contractor serving the State of Missouri: Blue Hills Homes Corporation, 1020 East 63rd Street, Kansas City, MO 64110.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records on selected elementary and secondary school students whom:

- (1) Attend private schools;
- (2) Reside in target areas of bypassed local educational agencies; and

(3) Participate in the program for students who are failing or most at risk of failing under Title I of the Elementary and Secondary Education Act of 1965 as amended.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains student documents such as test scores, report cards, individual instructional records and reports from teachers to other teachers and parents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Elementary and Secondary Education Act of 1965 1120(d), 20 U.S.C. 6321.

PURPOSE(S):

The information contained in this system is used for a variety of purposes. The standardized test scores obtained at the beginning of a year are used to determine the eligibility of students for participation in the Title I program. The report cards and reports of Title I teachers to regular classroom teachers and to parents are used to report the progress students are making during the school year. The scores on the achievement tests given at the end of a school year are used to measure the progress students have made during the year and the degree to which the objectives of the Title I progress have been met. The purpose of the individual instructional record is to provide a plan for meeting the students' instructional needs.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The Department of Education (Department) may disclose information contained in a record on this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Act, under a computer matching agreement.

(1) *Educational Disclosures.* Title I teachers make information contained in this system of records available to regular classroom teachers and to the parents of those students to explain the eligibility of students and their progress in the Title I program. Supervisors of the Title I teachers also use the information contained in this system of records as a part of the monitoring process to measure progress being made toward achieving program objectives.

(2) *Enforcement Disclosure.* In the event that information in this system of

records indicates, either on its face or in connection with other information, a violation or potential violation of any applicable statute, regulation, or order of a competent authority, the Department may disclose the relevant records to the appropriate agency, whether foreign, Federal, State, Tribal, or local, charged with the responsibility of investigating or prosecuting that violation or charged with enforcing or implementing the statute, executive order, rule, regulation, or order issued pursuant thereto.

(3) *Congressional Member Disclosure.* The Department may disclose records to a member of Congress from the record of an individual in response to an inquiry from the member made at the written request of that individual. The Member's right to the information is no greater than the right of the individual who requested it.

(4) *Litigation and Alternative Dispute Resolution (ADR) Disclosures.*

(a) *Introduction.* In the event that one of the parties listed below is involved in litigation or ADR, or has an interest in litigation ADR, the Department may disclose certain records to the parties described in paragraphs (b), (c) and (d) of this routine use under the conditions specified in those paragraphs:

(i) The Department of Education, or any component of the Department; or

(ii) Any Department employee in his or her official capacity; or

(iii) Any Department employee in his or her individual capacity if the Department of Justice (DOJ) has agreed to provide or arrange for representation for the employee;

(iv) Any Department employee in his or her individual capacity where the agency has agreed to represent the employee; or

(v) The United States where the Department determines that the litigation is likely to affect the Department or any of its components.

(b) *Disclosure to the DOJ.* If the Department determines that disclosure of certain records to the DOJ is relevant and necessary to litigation or ADR, the Department may disclose those records as a routine use to the DOJ.

(c) *Administrative Disclosures.* If the Department determines that disclosure of certain records to an adjudicative body before which the Department is authorized to appear, an individual or entity designated by the Department or otherwise empowered to resolve or mediate disputes is relevant and necessary to the administrative litigation, the Department may disclose those records as a routine use to the adjudicative body, individual, or entity.

(d) *Parties, counsels, representatives and witnesses.* If the Department determines that disclosure of certain records to a party, counsel, representative or witness in an administrative proceeding is relevant and necessary to the litigation, the Department may disclose those records as a routine use to the party, counsel, representative or witness.

(5) *Freedom of Information Act (FOIA) Advice Disclosure.* The Department may disclose records to the Department of Justice and the Office of Management and Budget if the Department concludes that disclosure is desirable or necessary in determining whether particular records are required to be disclosed under the FOIA.

(6) *Employment, Benefit, and Contracting Disclosure.*

(a) *For Decisions by the Department.* The Department may disclose a record to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent records, or to another public authority or professional organization, if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee or other personnel action, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

(b) *For Decisions by Other Public Agencies and Professional Organizations.* The Department may disclose a record to a Federal, State, local, or foreign agency or other public authority or professional organization, in connection with the hiring or retention of an employee or other personnel action, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit, to the extent that the record is relevant and necessary to the receiving entity's decision on the matter.

(7) *Disclosure for Use by Other Law Enforcement Agencies.* The Department may disclose information to any Federal, State, local, or foreign agency or other public authority responsible for enforcing, investigating, or prosecuting violations of administrative, civil, or criminal law or regulation if that information is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility within the receiving entity's jurisdiction.

(8) *Employee Grievance, Complaint or Conduct Disclosure.* The Department may disclose a record in this system of records to another agency of the Federal Government if the record is relevant to one of the following proceedings

regarding a present or former employee of the Department: complaint, grievance, discipline or competence determination proceedings. The disclosure may only be made during the course of the proceeding.

(9) *Contract Disclosure.* If the Department contracts with an entity for the purposes of performing any function that requires disclosure of records in this system to employees of the contractor, the Department may disclose the records to those employees. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards as required under 5 U.S.C. 552a(m) with respect to the records in the system.

(10) *Research Disclosure.* The Department may disclose records to a researcher if an appropriate official of the Department determines that the individual or organization to which the disclosure would be made is qualified to carry out specific research related to functions or purposes of this system of records. The official may disclose records from this system of records to that researcher solely for the purpose of carrying out that research related to the functions or purposes of this system of records. The researcher shall be required to maintain Privacy Act safeguards with respect to the disclosed records.

DISCLOSURES TO CONSUMER REPORTING AGENCIES:

Not applicable to this system of records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Each student's records are kept in a separate file folder. All folders are filed in a locked filing cabinet in the Title I classroom. After a student no longer participates in the program, his or her records are transferred to the contractor's office or storage facility where they are stored in locked filing cabinets.

RETRIEVABILITY:

The records are indexed by student names, school attended and year of attendance at that school.

SAFEGUARDS:

The records are secured in a locked filing cabinet. The key is kept by the Title I teacher. After a student no longer participates in the program, the records are transferred to the contractor's office or storage facility where they are stored in a locked filing cabinet. Direct access is restricted to the Title I teacher and

aide during the day-to-day program operation. The instructional supervisor, representatives of the contractor, and Department of Education staff have access during monitoring visits.

RETENTION AND DISPOSAL:

Records are maintained in the contractor's office or storage facility for at least three years after final payment on the contract. Disposal of records are in accordance with the Department of Education Records Disposition Schedules (ED/RDS).

SYSTEM MANAGER(S) AND ADDRESS:

Director, Compensatory Education Programs, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3W230, Washington, DC 20202.

NOTIFICATION PROCEDURE:

If a student or his or her parent or guardian wishes to determine whether a record exists regarding them in this system of records, he or she must notify the appropriate contractor for the State served by the bypass contract. The name and address of the appropriate contractor is listed under the system location of this notice. For identification, the authorized individual seeking information should provide the name, home address, and school of the student for whom information is being requested. The request must meet the requirements in the regulations at 34 CFR 5b.5.

RECORD ACCESS PROCEDURES:

In order to gain access to a record in this system, you should contact the contractor listed in the system location or the system manager. You should provide the contractor with the information listed in the Notification Procedure of this notice and reasonably specify the record contents being sought. The request must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

CONTESTING RECORD PROCEDURES:

If you wish to contest the content of the record of a participating Title I student, you should contact the contractor for the State served by the bypass contract. You should identify yourself and state, in writing, which portion of the record you desire to be changed and provide a justification and authorization for the change. The contractor will forward the request to the system manager. The request must meet the requirements of the regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

The information in this system comes from test scores on achievement tests for

program eligibility administered at private schools and class performance information from the regular class teachers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

18-14-02

SYSTEM NAME:

Fellowships for Indian Students—Applications and Awards.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Indian Education, Office of Elementary and Secondary Education, 1250 Maryland Avenue, SW., Room 4300, Portal Building, Washington, DC 20202-6335.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

American Indians who are citizens of the United States or residents of the United States for other than a temporary purpose, who have been accepted by institutions of higher education in a program leading to an undergraduate or graduate degree in the fields of Business Administration, Engineering and Natural Resources or related fields, and graduate degree in the fields of education, law and medicine or related fields, and who have applied to Department's Office of Indian Education for a fellowship.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, address, phone number, date and place of birth, tribal affiliation, tribal roll number, social security number, sex, marital status, citizenship, names of dependents, educational background, employment background, educational transcripts, references, income information, admission test scores.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Indian Education Act of 1972, as amended, Pub. L. 92-318, Part B, section 423.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The Department of Education (Department) may disclose information contained in a record in this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purpose for which the record was collected. These disclosures may be made on a case-by-case basis or, if the