start
DecisionGraph-1
questionnaire.dg/global-start ask Do the data concern living persons?
Set Code=green
Set Code=blue Assertions=[Identity:noPersonData]
questionnaire.dg/filter-medical ask Do the data contain health or medical information?
medical.dg/start
questionnaire.dg/filter-ppra ask Was the data collected from students in an elementary or secondary school?
ppra.dg/start
questionnaire.dg/filter-ferpa ask Do the data contain any information derived from ministry of education data?
ferpa.dg/start
government-records.dg/Gov1
dppa.dg/DPPA1
questionnaire.dg/futures todo Future additions go here.
questionnaire.dg/dua
ferpa.dg/start ask Do the data contain any information derived from institutional records directly related to a student?
ferpa.dg/ferpa10 ask Do the data include personally identifiable information about a student?
Set Legal=[EducationRecords:[FERPA:{deidentified}]] Code=green Assertions=[DataType:[Harm:minimal Effort:deidentified]] Handling=[Transit:clear Storage:clear]
ferpa.dg/ferpa11 ask Did the educational agency or institution designate all of the personally identifiable information in the data as directory information?
ferpa.dg/ferpa11a ask Did any of the students in the data, or their parents, if the students are under 18, request to opt out of the release of their information ...
ferpa.dg/ferpa12 ask Did the parents or guardians of the students, or the students themselves if they were adults or emancipated minors at the time of the data c...
Set Legal=[EducationRecords:[FERPA:{directoryOptOut}]] Code=yellow Assertions=[DataType:[Harm:shame Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
Set Legal=[EducationRecords:[FERPA:{directoryInfo}]] Code=green Assertions=[DataType:[Harm:minimal Effort:identifiable]]
Set Legal=[EducationRecords:[FERPA:{consent}]] Code=yellow Assertions=[DataType:[Harm:shame Effort:identifiable]] Handling=[Transit:encrypt]
todo Consent sub-routine
ferpa.dg/ferpa13 ask Are the data being disclosed to a school official or contractor with a legitimate educational interest?
Set Legal=[EducationRecords:[FERPA:{schoolOfficial}]] Code=yellow Assertions=[DataType:[Harm:shame Effort:identifiable]] Handling=[Transit:encrypt]
ferpa.dg/ferpa14 ask Are the data being disclosed for a purpose allowed by law?
Set Legal=[EducationRecords:[FERPA:{study}]] Code=yellow Assertions=[DataType:[Harm:shame Effort:identifiable]] Handling=[Transit:encrypt]
ferpa.dg/ferpa15 ask Are the data being disclosed for the purpose of conducting an audit or evaluation of a federal- or state-supported education program?
Set Legal=[EducationRecords:[FERPA:{audit}]] Code=yellow Assertions=[DataType:[Harm:shame Effort:identifiable]] Handling=[Transit:encrypt]
REJECT FERPA violation by disclosing data that should not be disclosed.
todo DUA subroutine
questionnaire.dg/dua Data Use Agreements
Section Data Use Agreements
questionnaire.dg/dua-ext todo Data use agreements
questionnaire.dg/duaTimeLimit ask Is there any reason why we cannot store the data indefinitely?
ask For how long should we keep the data?
indefinitely
50 years
5 years
2 years
1 year
Set Handling=[DUA:[TimeLimit:none]]
Set Handling=[DUA:[TimeLimit:_50yr]]
Set Handling=[DUA:[TimeLimit:_5yr]]
Set Handling=[DUA:[TimeLimit:_2yr]]
Set Handling=[DUA:[TimeLimit:_1yr]]
Set Handling=[DUA:[TimeLimit:none]]
questionnaire.dg/duaAdditional ask Did the data have any restrictions on sharing, e.g. stated in an agreement or policy statement?
Set Legal=[ContractOrPolicy:yes]
Set Legal=[ContractOrPolicy:no]
ppra.dg/start ask Do the data contain information collected from students in a survey or assessment concerning any of the covered categories?
ppra.dg/ppra2a ask Do the data contain any student PII?
Set Legal=[EducationRecords:[PPRA:{protected}]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
Set Legal=[EducationRecords:[PPRA:{protectedDeidentified}]] Code=green Assertions=[DataType:[Harm:minimal Effort:deidentified]] Handling=[Transit:clear Storage:clear]
ppra.dg/ppra3 ask Was the survey or assessment funded, in whole or in part, by the US Department of Education?
ppra.dg/ppra4 ask Was written consent obtained from the parents or students prior to the data collection?
Not Sure
Set Legal=[EducationRecords:[PPRA:{consent}]]
REJECT Possible PPRA violation - no collection consent
REJECT Please clarify wheather a consent was obtained.
ppra.dg/ppra5 ask Was any of the personal information in the data collected from students for the purpose of marketing or sale?
Set Legal=[EducationRecords:[PPRA:{marketing}]]
ppra.dg/ppra6 ask Does the school in which the information was collected receive any funds from the US Department of Education?
ppra.dg/ppra7 ask Were parents provided with notice and an opportunity to opt out of the collection and disclosure of the information?
Set Legal=[EducationRecords:[PPRA:{optOutProvided}]]
REJECT Possible PPRA violation due to school's failure to provide parents with the opportunity to opt out of the data collection
dppa.dg/DPPA1 ask Do the data contain personal information obtained from a state department of motor vehicles?
dppa.dg/DPPA2 ask Do the DMV records contain PII?
Set Code=yellow Assertions=[DataType:[Harm:shame Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
dppa.dg/DPPA3 ask Is disclosure of the personal information required by the Driver's Privacy Protection Act?
dppa.dg/DPPA4 ask Is the disclosure of these records made in accordance with the driver's license record disclosure law (state law)?
REJECT Possible violation of state law on disclosure of drivers' records
dppa.dg/DPPA5 ask Was consent obtained from the person about whom the information pertains by the State DMV in response to a request for an individual record?
dppa.dg/DPPA2a ask Did you get conscent from the data subjects?
Set Legal=[GovernmentRecords:[DPPA:{highlyRestricted}]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
REJECT DPPA violation
Set Legal=[GovernmentRecords:[DPPA:{required}]]
dppa.dg/DPPA5a ask Was the obtained consent limited in any way, such as purpose, duration, parties that may receive the data?
Set Legal=[GovernmentRecords:[DPPA:{stateConsentLimited}]]
Set Legal=[GovernmentRecords:[DPPA:{stateConsentBroad}]]
dppa.dg/DPPA6 ask Was consent obtained from the individuals whose information is contained in the data by the requester of the records?
dppa.dg/DPPA6a ask Was the obtained consent limited in any way, such as purpose, duration, parties that may receive the data?
Set Legal=[GovernmentRecords:[DPPA:{requesterConsentLimited}]]
Set Legal=[GovernmentRecords:[DPPA:{requesterConsentBroad}]]
dppa.dg/DPPA7 ask Were the data obtained for use in research activities?
Set Legal=[GovernmentRecords:[DPPA:{research}]]
dppa.dg/DPPA8 ask Was the personal information obtained under one of the other fourteen permissible uses for the disclosure of drivers' records?
Set Legal=[GovernmentRecords:[DPPA:{exception}]]
REJECT possible violation of the DPPA: depositor has not cited one of the required or permissible uses for disclosure.
medical.dg/start ask Do the data contain information related to substance abuse diagnosis, referral, or treatment?
medical.dg/MR2a ask Were the data obtained from a federally assisted drug abuse program after March 20, 1972, or a federally assisted alcohol abuse program afte...
medical.dg/MR3 ask Do any of the substance abuse records contain direct or referential PII?
Set Legal=[MedicalRecords:[Part2:deidentified]] Code=green Assertions=[DataType:[Effort:deidentified]] Handling=[Transit:clear Storage:clear]
medical.dg/MR4 ask Were the data maintained in connection with the US Department of Veterans Affairs or US Armed Services?
medical.dg/MR4a ask Were the data maintained by the Department of Veterans Affairs either shared with the patients' consent for the purposes of scientific resea...
medical.dg/XXXs Set Legal=[MedicalRecords:[Part2:veteransMedicalData]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt]
REJECT reject data and flag for review; possible violation of 38 U.S.C. 4132 due to the release of VA medical records without a valid exception.
medical.dg/MR5 ask Did the individuals provide written consent for the disclosure of their information?
Set Legal=[MedicalRecords:[Part2:consent]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
medical.dg/MR6 ask Were the data shared by the substance abuse program for scientific research purposes?
Set Legal=[MedicalRecords:[Part2:scientificResearch]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
medical.dg/MR7 ask Do the data contain information from a covered entity or business associate of a covered entity?
Not Sure
REJECT The PII issue has to be cleared before depositing the data.
medical.dg/MR8 ask Have all direct identifiers been removed from the data?
Set Legal=[MedicalRecords:[HIPAA:{safeHarborDeidentified}]] Code=green Assertions=[DataType:[Harm:minimal Effort:deidentified]] Handling=[Transit:clear Storage:clear]
medical.dg/MR8a ask Has an expert in statistical or scientific principles and methods for deidentification certified that the data have been deidentified?
Set Legal=[MedicalRecords:[HIPAA:{expertDetermination}]] Code=green Assertions=[DataType:[Harm:minimal Effort:deidentified]] Handling=[Transit:clear Storage:clear]
medical.dg/MR9 ask Do the data constitute a limited data set under the HIPAA Privacy Rule?
Set Legal=[MedicalRecords:[HIPAA:{limitedDataset}]] Code=green Assertions=[DataType:[Harm:minimal Effort:deidentified]] Handling=[Transit:clear Storage:clear]
medical.dg/MR10 ask Do the data contain protected health information from medical records?
medical.dg/MR11 ask Do the data contain health information from patients who have provided written authorization for their information to be disclosed to or use...
Set Legal=[MedicalRecords:[HIPAA:{authorization}]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
medical.dg/MR12 ask Has an oversight body reviewed how the data will be used or disclosed and approved a request to alter or waive the Authorization requirement...
Set Legal=[MedicalRecords:[HIPAA:{waiver}]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
medical.dg/MR13 ask Were the data disclosed pursuant to a HIPAA business associate contract?
Set Legal=[MedicalRecords:[HIPAA:{businessAssociateContract}]] Code=orange Assertions=[DataType:[Harm:civil Effort:identifiable]] Handling=[Transit:encrypt Storage:serverEncrypt]
government-records.dg/Gov1 ask Were the data collected by a federal agency or a researcher under contract with or with funds from a federal agency?
government-records.dg/Gov2 ask Are you an employee or an agent, such as a contractor, consultant, researcher, or employee of a private organization, operating under a cont...
government-records.dg/Census1 ask Were the data collected by the US Census Bureau?
government-records.dg/Census2 ask Were the data published by the Census Bureau?
Set Code=green Legal=[GovernmentRecords:[Census:{CensusPublished}]] Assertions=[DataType:[Harm:minimal Effort:deidentified]] Handling=[Transit:clear Storage:clear]
government-records.dg/Census3 ask Has a Census Bureau Disclosure Review Board issued an approval memorandum granting formal permission for the data to be published?
Set Code=green Legal=[GovernmentRecords:[Census:{CensusPublished}]] Assertions=[DataType:[Harm:minimal Effort:deidentified]] Handling=[Transit:clear Storage:clear]
REJECT Possible violation of Title 13 due to failure to obtain permission from the Census Bureau to publish the Census data.
government-records.dg/ESRA1 ask Do the data contain information from an education research project that receives funding from the Institute of Education Sciences? Examples ...
government-records.dg/ESRA2 ask Have the data been published previously, or did you submit a copy of the data to the Institute of Education Sciences (IES) Data Security Off...
REJECT Possible violation of ESRA due to failure to obtain authorization to disclose the data from the Institute of Education Sciences
government-records.dg/ESRA3 ask Has the IES Data Security Office limited access to the data to individuals authorized by an IES license agreement or individuals who have ex...
Set Code=yellow Legal=[GovernmentRecords:[ESRA:{restricted}]] Assertions=[DataType:[Harm:shame]] Handling=[Transit:encrypt Storage:serverEncrypt]
Set Code=green Legal=[GovernmentRecords:[ESRA:{public}]] Assertions=[DataType:[Harm:minimal]] Handling=[Transit:clear Storage:clear]
government-records.dg/CIPSEA1 ask Were the data collected directly from respondents for exclusively statistical purposes under a pledge of confidentiality?
government-records.dg/CIPSEA2 ask Is the agency that collected the data a statistical agency or unit from this list: USDA Economic Research Service, National Agricultural Sta...
government-records.dg/CIPSEA3 ask Are the data being shared in identifiable form?
Set Legal=[GovernmentRecords:[CIPSEA:{identifiable}]]
Set Legal=[GovernmentRecords:[CIPSEA:{deidentified}]]
todo CIPSEA DUA
government-records.dg/PA1 ask Are the data maintained by the agency in a system of records?
government-records.dg/PA2 ask Do the data contain personally identifiable information?
Set Legal=[GovernmentRecords:[PrivacyAct:{identifiable}]]
Set Legal=[GovernmentRecords:[PrivacyAct:{deidentified}]]
todo Privacy Act DUA