

HELLGATE ELEMENTARY **STUDENT DATA PRIVACY** **PROTECTION...**



Student Data Privacy and Security

The efficient collection, analysis, and storage of student information is essential to improve the education of our students. As the use of student data has increased and technology has advanced, the need to exercise care in the handling of confidential student information has intensified. The privacy of students and the use of confidential student information is protected by federal and state laws, including the Family Educational Rights and Privacy Act (FERPA).

Student information is compiled and used to evaluate and improve Montana's educational system and improve transitions from Hellgate Elementary to high school, to postsecondary education, and/or the workforce. This procedural safeguard document has been developed to ensure the proper protection of confidential student information. Hellgate Elementary shall implement, disseminate within the school community, and electronically post this procedure to its website. It is intended to provide guidance regarding the collection, access, security, and use of education data to protect student privacy. Violation of this student data privacy protection procedure document may result in civil penalties.

Definitions

Administrative security consists of policies, procedures, and personnel controls including security policies, training, and audits, technical training, supervision, separation of duties, rotation of duties, recruiting and termination procedures, user access control, background checks, performance evaluations, and disaster recovery, contingency, and emergency plans. These measures ensure that authorized users know and understand how to properly use the system in order to maintain security of data.

Aggregate Data is collected or reported at a group, cohort or institutional level and does not contain Personal Identifiable Information (PII).

Data Breach is the unauthorized acquisition of Personal Identifiable Information (PII).

Logical Security consists of software safeguards for an organization's systems, including user identification and password access, authenticating, access rights and authority levels. These measures ensure that only authorized users are able to perform actions or access information in a network or a workstation.

Personally Identifiable Information (PII) includes, but may not be limited to, a student's name; the name of a student's family; the student's address; the student's social security number; a student education unique identification number or biometric record; or other indirect

identifiers such as a student's date of birth, place of birth or mother's maiden name; and other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances, to identify the student.

Physical Security describes security measures designed to deny unauthorized access to facilities or equipment.

Student Data means data collected at the student level and included in a student's educational records.

Unauthorized Data Disclosure is the intentional or unintentional release of Personal Identifiable Information (PII) to an unauthorized person or untrusted environment.

****Collection and Dissemination – Procedure****

Hellgate Elementary shall follow applicable state and federal laws related to student privacy in the collection of student data.

Access

Unless prohibited by law or court order, Hellgate Elementary shall provide parents, legal guardians, or eligible students, as applicable, the ability to review their child's educational records.

The Principal or his/her designee, is responsible for granting, removing, and reviewing user access to student data. An annual review of existing access shall be performed

Access to Personal Identifiable Information (PII) maintained by Hellgate Elementary shall be restricted to:

- (1) the authorized staff of Hellgate Elementary who require access to perform their assigned duties; and
- (2) authorized employees of the Montana Office of Public Instruction and, if necessary, the Montana Board of Education who require access to perform their assigned duties; and
- (3) vendors who require access to perform their assigned duties.

Security

Hellgate Elementary shall have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure. Hellgate Elementary shall immediately notify the Montana Office of Public Instruction and, if necessary, the Montana Board of Education and in the case of a confirmed Data Breach or confirmed Unauthorized Data Disclosure. Hellgate Elementary shall also notify in a timely manner affected individuals, students, and families if there is a confirmed Data Breach or confirmed Unauthorized Data Disclosure.

Use

Publicly released reports shall not include Personal Identifiable Information (PII) and shall use Aggregate Data in such a manner that re-identification of individual students is not possible.

Hellgate Elementary contracts with outside vendors involving student data, which govern databases, online services, assessments, special education or instructional supports, shall include the following provisions which are intended to safeguard student privacy and the security of the data:

1. Requirement that the vendor agree to comply with all applicable state and federal law;
2. Requirement that the vendor have in place Administrative Security, Physical Security, and Logical Security controls to protect from a Data Breach or Unauthorized Data Disclosure;
3. Requirement that the vendor restrict access to Personal Identifiable Information (PII) to the authorized staff of the vendor who require such access to perform their assigned duties;
4. Prohibition against the vendor's secondary use of Personal Identifiable Information (PII) including sales, marketing or advertising;
5. Requirement for data destruction and an associated timeframe; and
6. Penalties for non-compliance with the above provisions.

Hellgate Elementary shall clearly define what data is determined to be directory information.

If Hellgate Elementary chooses to publish directory information which includes Personal Identifiable Information (PII), parents must be notified annually in writing and given an opportunity to opt out of the directory. If a parent does not opt out, the release of the information as part of the directory is not a Data Breach or Unauthorized Data Disclosure.

**Adapted from the Idaho Student Data Accessibility, Transparency,
and Accountability Act**