

RESOLUTION ESTABLISHING A STUDENT DATA PRIVACY POLICY

January 9, 2016

WHEREAS, the Louisiana Legislature has enacted La. R.S. 17:3914 which provides protections for the personally identifiable information of students;

WHEREAS, personally identifiable information is defined by La. R.S. 17:3914 as information about an individual that may be used on its own or with other information to identify, contact, or locate a single individual, including but not limited to the following: A) the student's name; B) the name of the student's parent or other family members, C) the address of the student or student's family member; D) a personal identifier that can be used to distinguish or trace an individual's identity such as social security number, date and place of birth, mother's maiden name, or biometric records; E) any other information that is linked or linkable to a specific student such as medical, educational, financial, and employment information; F) two (2) or more pieces of information that separately or when linked together can be used to reasonably ascertain the identity of the person;

WHEREAS, La. R.S. 17:3914(H) provides a general exception to La. R.S. 17:3914 when a local school board adopts a policy allowing access to a student's personally identifiable information;

WHEREAS, the Attorney General of Louisiana recently issued Opinion No. 15-0103, which determined that schools can provide access to a student's personally identifiable information, so long as the student's parent, guardian, or the student him/herself (if they have reached the age of majority) does not object in writing;

NOW, THEREFORE, BE IT RESOLVED, pursuant to La. R.S. 17:391(H) and La. Atty Gen Op No. 15-0103, COLLEGIATE ACADEMIES hereby adopts the following student data policy plan:

Unless directed in writing otherwise by a student's parent, legal guardian or a student who has reached the age of majority, the Board hereby authorizes a person employed by COLLEGIATE ACADEMIES or a person authorized by COLLEGIATE ACADEMIES' CEO, to provide access to certain personally identifiable information to further a legitimate educational purpose, in accordance with the Federal Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232, et seq. and La. R.S. 17:3914 as follows:

- Information to protect the health, safety, or welfare of a student or the general public;
- Information to facilitate a student's participation in a school sanctioned extracurricular activity, including but not limited to a sport, organization or club;
- Information to facilitate the operation and daily activities within COLLEGIATE ACADEMIES facilities, including but not limited to the display and use of student information in and around COLLEGIATE ACADEMIES facilities;
- Programs and activities related to school sanctioned performances or productions, events, award programs, and graduations;
- University Transcript requests, Scholarships, and admissions;
- LHSAA, NCAA and other related sports programs or sanctioning entities;
- Online resources and educational tools;

- School Photography and Yearbook providers;
- Information provided in accordance with a contract between COLLEGIATE ACADEMIES and a public or private entity which has been contracted to perform student or education services, but only to the extent provided for in such a contract;
- Directory information, to the extent allowed in FERPA;
- To other School Officials whom the school has determined to have legitimate educational interests in accordance with the annual notification of FERPA rights. For contractors, the student personally identifiable information may be transferred to computers operated and maintained by the contractor and the contractor shall not allow access to or release student personally identifiable information to any person or entity except as specified in the contract;
- Upon request, to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer. In accordance with the Individuals with Disabilities Education Act (IDEA), if a student with a disability is enrolled, or is going to enroll in a private school that is not located in the School's attendance boundaries of the parent's residence, parental consent must be obtained before any personally identifiable information about the student is released between the School and the private school;
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or the Louisiana Department of Education. Disclosures may be made in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with federal and State legal requirements that relate to those programs. Student information provided to School Directors, the Louisiana Department of Education (LDE), or the Louisiana Board of Elementary and Secondary Education (BESE) shall be identifiable only by a student's identification number and aggregate data and shall be disclosed solely for the purpose of satisfying state and federal reporting requirements. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met;
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. Once the parent, guardian, or student of majority age has granted written consent for collection of certain data in accordance with La. Rev. Stat. Ann. § 17:3914(K), such data shall be disclosed solely for purposes of processing a student's application to a Louisiana postsecondary education institution or to the Louisiana Office of Student Financial Assistance for receipt of financial aid pursuant to such consent. Failure to provide such consent may result in delays or prevent successful application for admission to a postsecondary educational institution and state and federal student aid. Consent provided under La. Rev. Stat. Ann. § 17:3914(K) shall continue unless withdrawn in writing. Notice of a parent's right to withdraw their previously provided consent will be provided annually;
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed as authorized a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released;
- To organizations conducting studies for, or on behalf of, the School, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. In no case shall a contractor be permitted to use student information to conduct

predictive modeling for the purpose of limiting the educational opportunities of students;

- To accrediting organizations to carry out their accrediting functions;
- To parents of an eligible student, if the student is a dependent for IRS tax purposes;
- To comply with a judicial order or lawfully issued subpoena, subject to the requirements of federal and State law;
- To appropriate officials in connection with a health or safety emergency, subject to the requirements of federal and State law;
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement;
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions;
- Information provided in accordance with a contract between the School and a public or private entity which has been contracted to perform student or education services, but only to the extent provided for in such a contract. Pursuant to La. Rev. Stat. Ann. §17:3913, information concerning the release of personally identifiable information pursuant to any contract shall be available at the Principal's office or such other School office as the Principal may designate; and

Information required to be reported pursuant to Article 609 of the Louisiana Children's Code.

Stephen Rosenthal, Board Chairman

Date