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Document Number:	Enter Policy Number
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1.0   Purpose

Data governance is an organizational approach to data and information management that is formalized as a set of policies and procedures that encompass the full life cycle of data, from acquisition, to use, to disposal. Wasatch Waldorf Charter School takes seriously its moral and legal responsibility to protect student privacy and ensure data security. Utah's Student Data Protection Act (SDPA), U.C.A §53A-1-1401, et seq., requires that Wasatch Waldorf Charter School adopt a Data Governance Plan.

2.0   Definitions

"Education entity" refers to the Wasatch Waldorf Charter School and its governing board.

"Personally identifiable information" or "PII" means student data that identifies or is used by the holder to identify a student. PII includes: a student's first and last name; the first and last name of a student's family member; a student's or a student's family's home or physical address; a student's email address or other online contact information; a student's telephone number; a student's social security number; a student's fingerprint; a student's health or disability data; a student's education entity student identification number; a student's social media username and password or alias; a combination of a student's last name or photograph with other information that together permits a person to contact the student online; information about a student or a student's family that a person collects online and combines with other personally identifiable student data to identify the student; and other information

that is linked to a specific student that would allow a reasonable person in the school community, who does not have first-hand knowledge of the student, to identify the student with reasonable certainty.

3.0   Policy Content

This policy is applicable to all employees, temporary employees, and contractors of Wasatch Waldorf Charter School. The policy must be used to assess agreements made to disclose data to third-parties. This policy must also be used to assess the risk of conducting business. This policy will be reviewed and adjusted on an annual basis or more frequently, as needed. This policy is designed to ensure only authorized disclosure of confidential information. The following 8 subsections provide data governance policies and processes for Wasatch Waldorf Charter School:

1. Data Advisory Groups
2. Non-Disclosure Assurances for Employees
3. Data Security and Privacy Training for Employees
4. Data Disclosure
5. Data Breach
6. Record Retention and Expungement
7. Data Quality
8. Transparency

Furthermore, this Wasatch Waldorf Charter School Data Governance Plan works in conjunction with the Information Technology Security Plan, which together:

● Designate Wasatch Waldorf Charter School as the steward for all confidential information maintained within the school.

● Designate Data Stewards who are administrators who oversee access for all confidential information.
● Require Data Stewards to maintain a record of all confidential information that they are responsible for.

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- Require Data Stewards to manage confidential information according to this policy and all other applicable policies, standards and plans.
- Comply with all legal, regulatory, and contractual obligations regarding privacy of data. Where such requirements exceed the specific stipulation of this policy, the legal, regulatory, or contractual obligation shall take precedence.
- Provide the authority to design, implement, and maintain privacy procedures meeting Wasatch Waldorf Charter School standards concerning the privacy of data in motion, at rest, and processed by related information systems.

- Ensure that all Wasatch Waldorf Charter School board members, employees, contractors, and volunteers comply with the policy and undergo annual privacy training.

- Provide policies and process for
  - Systems administration,
  - Network security,
  - Application security,
  - Endpoint, server, and device security
  - Identity, authentication, and access management,
  - Data protection and cryptography
  - Monitoring, vulnerability, and patch management
  - High availability, disaster recovery, and physical protection
  - Incident Responses
  - Acquisition and asset management, and
  - Policy, audit, e-discovery and training.

4.0   Relevant Procedures, Guidelines & Restrictions

4.1 Individual and Group Responsibilities

The following tables outlines individual Wasatch Waldorf Charter School staff responsibilities.

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Role	Responsibilities
Student Data Manager	Authorize and manage the sharing, outside of the education entity, of personally identifiable student data from a cumulative record for the education entity. 1. Act as the primary local point of contact for the state student data officer. 2. A student data manager may share personally identifiable student data that are: a. of a student with the student and the student's parent, b. required by state or federal law, c. in an aggregate form with appropriate data redaction techniques applied, d. for a school official, e. for an authorized caseworker or other representative of the Department of Human Services or the Juvenile Court, f. in response to a subpoena issued by a court, g. directory information, or h. submitted data requests from external researchers or evaluators. 3. A student data manager may not share personally identifiable student data for the purpose of external research or evaluation.

	4. Create and maintain a list of all Wasatch Waldorf Charter School staff that have access to personally identifiable student data. 5. Ensure annual training on data privacy to all Wasatch Waldorf Charter School staff members, including volunteers. Document all staff names, roles, and training dates, times, locations, and agendas. 6. The Administrative Director of the Wasatch Waldorf Charter School shall fulfill the role of Student Data Manager unless otherwise specified.

Information Security Manager	Acts as the primary point of contact for state student data security administration in assisting the board to administer this part.
	1. Ensures compliance with security systems laws throughout the public education system, including:
	    a. providing training and support to applicable Wasatch Waldorf Charter School employees; and
	    b. producing resource materials, model plans, and model forms for systems security.
	2. Investigates complaints of alleged violations of systems breaches.
	3. Provides an annual report to the board on Wasatch Waldorf Charter School's systems security needs.

	4. The Administrative Director of the Wasatch Waldorf Charter School shall fulfill the role of Information Security Manager unless otherwise specified.
Assessment Coordinator	1. Acts as the primary point of contact for external research requests. 2. Oversees administration of assessments and coordinates reporting to parents and public on results. 3. Directs staff who provide reports to internal stakeholders.

Table 1. Individual Wasatch WaldorfCharter School Staff Responsibilities

4.2 Employee Non-Disclosure Assurances

Employee non-disclosure assurances are intended to minimize the risk of human error and misuse of information.

4.2.1 Scope

All Wasatch Waldorf Charter School board members, employees, contractors and volunteers must sign and obey the Wasatch Waldorf Charter School Employee Non-Disclosure Agreement (See Appendix A), which describes the permissible uses of state technology and information.

4.2.2 Non-Compliance

Non-compliance with the agreements shall result in consequences up to and including removal of access to Wasatch Waldorf Charter School network; if this access is required for employment, employees and contractors may be subject to dismissal.

4.2.3 Non-Disclosure Assurances

All student data utilized by Wasatch Waldorf Charter School is protected as defined by the Family Educational Rights and Privacy Act (FERPA) and Utah statute. This policy outlines the way Wasatch Waldorf Charter School staff is to utilize data and protect personally identifiable and confidential information. A signed agreement form is required from all Wasatch Waldorf Charter School staff to verify agreement to adhere to/abide by these practices and will be maintained by Wasatch Waldorf Charter School. All Wasatch Waldorf Charter School employees (including contract or temporary) will:

1. Complete a Security and Privacy Fundamentals Training.

2. Complete a Security and Privacy Training for Researchers and Evaluators, if your position is a research analyst or if requested by the Chief Privacy Officer.

3. Consult with Wasatch Waldorf Charter School internal data owners when creating or disseminating reports containing data.

4. Use password-protected state-authorized computers when accessing any student-level or staff-level records.

5. NOT share individual passwords for personal computers or data systems with anyone.

6. Log out of any data system/portal and close the browser after each use.

7. Store sensitive data on appropriate-secured location. Unsecured access and flash drives, DVD, CD-ROM or other removable media, or personally owned computers or devices are not deemed appropriate for storage of sensitive, confidential or student data.

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8. Keep printed reports with personally identifiable information in a locked location while unattended, and use the secure document destruction service provided at Wasatch Waldorf Charter School when disposing of such records.

9. NOT share personally identifying data during public presentations, webinars, etc. If users need to demonstrate child/staff level data, demo records should be used for such presentations.

10. Redact any personally identifiable information when sharing sample reports with general audiences, in accordance with guidance provided by the student data manager, found in Appendix B (Protecting PII in Public Reporting).

11. Take steps to avoid disclosure of personally identifiable information in reports, such as aggregating, data suppression, rounding, recoding, blurring, perturbation, etc.

12. Delete files containing sensitive data after using them on computers, or move them to secured servers or personal folders accessible only by authorized parties.

13. NOT use email to send screenshots, text, or attachments that contain personally identifiable or other sensitive information. If users receive an email containing such information, they will delete the screenshots/text when forwarding or replying to these messages. If there is any doubt about the sensitivity of the data the Student Data Privacy Manager should be consulted.

14. Use secure methods when sharing or transmitting sensitive data. The approved method is sending with password protection. Also, sharing

within secured server folders (such as Google Drive) is appropriate for Wasatch Waldorf Charter School internal file transfer.

15. NOT transmit child/staff-level data externally unless expressly authorized in writing by the data owner and then only transmit data via approved methods such as described in item ten.

16. Limit use of individual data to the purposes which have been authorized within the scope of job responsibilities.

4.2.4 Data Security and Privacy Training

4.2.4.1 Purpose

Wasatch Waldorf Charter School will provide a range of training opportunities for all Wasatch Waldorf Charter School staff, including volunteers, contractors and temporary employees with access to student educational data or confidential educator records, in order to minimize the risk of human error and misuse of information.

4.2.4.2 Scope

All Wasatch Waldorf Charter School board members, employees, and contracted partners.

4.2.4.3 Compliance

New employees that do not comply may not be able to use Wasatch Waldorf Charter School networks or technology.

4.2.4.4 Policy

1. Within the first week of employment, all Wasatch Waldorf Charter School board members, employees, and contracted partners must sign

and follow the Wasatch Waldorf Charter School Employee Acceptable Use Policy, which describes the permissible uses of state technology and information.

2. New employees that do not comply may not be able to use Wasatch Waldorf Charter School networks or technology. Within the first week of employment, all Wasatch Waldorf Charter School board members, employees, and contracted partners also must sign and obey the Wasatch Waldorf Charter School Employee Non-Disclosure Agreement, which describes appropriate uses and the safeguarding of student and educator data.

3. All current Wasatch Waldorf Charter School board members, employees, and contracted partners are required to participate in an annual Security and Privacy Fundamentals Training Curriculum within 60 days of the adoption of this rule.

4. Wasatch Waldorf Charter School requires a targeted Security and Privacy Training for Data Stewards and IT staff for other specific groups within the agency that collect, store, or disclose data. The Chief Privacy Officer will identify these groups. Data and Statistics Coordinator will determine the annual training topics for these targeted groups based on Wasatch Waldorf Charter School training needs.

5. Participation in the training as well as a signed copy of the Employee Non-Disclosure Agreement will be annually monitored by supervisors. Supervisors and the board secretary will annually report all Wasatch Waldorf Charter School board members, employees, and contracted partners who do not have these requirements completed to the Executive Director.

4.3 Data Disclosure

4.3.1 Purpose

Providing data to persons and entities outside of the Wasatch Waldorf Charter School increases transparency, promotes education in Utah, and increases knowledge about Utah public education. This policy establishes the protocols and procedures for sharing data maintained by Wasatch Waldorf Charter School. It is intended to be consistent with the disclosure provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, 34 CFR Part 99 and Utah's Student Data Protection Act (SDPA), U.C.A §53A-1-1401.

4.3.2 Policy for disclosure of Personally Identifiable Information (PII)

4.3.2.1 Student or Student's Parent/Guardian Access

Parents are advised that the records maintained by Wasatch Waldorf Charter School are provided to Wasatch Waldorf Charter School by the school district in which their student is/was enrolled, and access to their student's record can be obtained from the student's school district. In accordance with FERPA regulations 20 U.S.C. § 1232g (a)(1) (A) (B) (C) and (D), Wasatch Waldorf Charter School will provide parents with access to their child's education records, or an eligible student access to his or her own education records (excluding information on other students, the financial records of parents, and confidential letters of recommendation if the student has waived the right to access), within 45 days of receiving an official request. Wasatch Waldorf Charter School is not required to provide data that it does not maintain, nor is Wasatch Waldorf Charter School required to create education records in response to an eligible student's request.

4.3.2.2 Third Party Vendor

Third party vendors may have access to students' personally identifiable information if the vendor is designated as a "school official" as defined in FERPA, 34 CFR §§ 99.31(a)(1) and 99.7(a)(3)(iii). A school official may include parties such as: professors, instructors, administrators, health staff, counselors, attorneys, clerical staff, trustees, members of committees and disciplinary boards, and a contractor, consultant, volunteer or other party to whom the school has outsourced institutional services or functions.

All third-party vendors contracting with Wasatch Waldorf Charter School must be compliant with Utah's Student Data Protection Act (SDPA), U.C.A §53A-1-1401. Vendors determined not to be compliant may not be allowed to enter into future contracts with Wasatch Waldorf Charter School without third-party verification that they are compliant with federal and state law, and board rule.

4.3.2.3 Internal Partner Requests

Internal partners to Wasatch Waldorf Charter School include LEA and school officials that are determined to have a legitimate educational interest in the information. All requests shall be documented in Wasatch Waldorf Charter School's data request files.

4.3.2.4 Governmental Agency Requests

Wasatch Waldorf Charter School may not disclose personally identifiable information of students to external persons or organizations to conduct research or evaluation that is not directly related to a state or federal program reporting requirement, audit, or evaluation. The requesting governmental agency must provide evidence of the federal or state requirements to share

data in order to satisfy FERPA disclosure exceptions to data without consent in the case of a federal or state

a)   reporting requirement,

b)   audit, or

c)   evaluation.

The Coordinator of Data and Statistics will ensure the proper data disclosure avoidance are included if necessary. An Interagency Agreement must be reviewed by legal staff and must include "FERPA-Student Level Data Protection Standard Terms and Conditions or Required Attachment Language."

4.3.3   Policy for External Disclosure of Non-Personally Identifiable Information (PII)

4.3.3.1 Scope

External data requests from individuals or organizations that are not intending on conducting external research or are not fulfilling a state or federal reporting requirement, audit, or evaluation.

4.3.3.2 Student Data Disclosure Risk Levels

Wasatch Waldorf Charter School has determined three levels of data requests with corresponding policies and procedures for appropriately protecting data based on risk: Low, Medium, and High. The Coordinator of Data and Statistics will make final determinations on classification of student data requests risk level.

4.3.3.2.1   Low-Risk Data Request Process

Definition: High-level aggregate data

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Examples:

- Graduation rate by year for the state
- Percent of third-graders scoring proficient on the SAGE ELA assessment

Process: Requester fills out a Data Request Form that is forwarded to the appropriate Data Steward. Data Steward fulfills request and provides Data Manager with a copy of the original Data Request Form and the data provided.

4.3.3.2.2 Medium-Risk Data Request Process

Definition: Aggregate data, but because of potentially low n-sizes, the data must have disclosure avoidance methods applied.

Examples:

- Graduation rate by year and LEA
- Percent of third-graders scoring proficient on the SAGE ELA assessment by school
- Child Nutrition Program Free or Reduced Lunch percentages by school

Process: Requester fills out a Data Request Form that is forwarded to the appropriate Data Steward. Data Steward fulfills request while protecting data to ensure it does not disclose PII and provides Data Manager with a copy of the original Data Request Form and the data provided.

4.3.3.2.3   High-Risk Data Request Process

Definition: Student-level data that are de-identified.

Examples:

- De-identified student-level graduation data
- De-identified student-level SAGE ELA assessment scores for grades 3-6.

Process: Requester fills out a Data Request Form that is forwarded to the appropriate Data Steward.   If the request is approved, an MOA is drafted and sent to legal counsel, placed on the board consent calendar, and reviewed by the Executive Director, appropriate Data Steward fulfills request, de-identifies data as appropriate, and sends to another Data Manager for Quality Assurance (ensuring student data protection). If it passes QA, data are sent to requester and Data Steward fulfills request and files a copy of the original Data Request Form and the data provided. If it does not pass QA, the data are sent back to the Data Steward for modification.

Data Disclosure to a Requesting External Researcher or Evaluator

Responsibility: The Coordinator of Data and Statistics will ensure the proper data are shared with external researcher or evaluator to comply with federal, state, and board rules.

Wasatch Waldorf Charter School may not disclose personally identifiable information of students to external persons or organizations to conduct research or evaluation that is not directly related to a state or federal program audit or evaluation. Data that do not

disclose PII may be shared with external researcher or evaluators for projects unrelated to federal or state requirements if:

1. A Wasatch Waldorf Charter School Director or board member sponsors an external researcher or evaluator request.
2. Student data are not PII and are de-identified through disclosure avoidance techniques and other pertinent techniques as determined by the Coordinator of Data and Statistics.
3. Researchers and evaluators supply the Wasatch Waldorf Charter School a copy of any publication or presentation that uses Wasatch Waldorf Charter School data 10 business days prior to any publication or presentation.

Process: Research Proposal must be submitted using the appropriate form. Research proposals are sent directly to the Coordinator of Data and Statistics for review. If the request is approved, an MOA is drafted and sent to legal, placed on the board consent calendar, reviewed by the Superintendent, sent to the Purchasing/Contract Manager, sent to Coordinator or Data and Statistics, appropriate Data Steward fulfills request, de-identifies data as appropriate, and sends to another Data Steward for Quality Assurance (ensuring student data protection). If it passes QA, data are sent to requester and saves the dataset in a secure folder managed by the Coordinator of Data and Statistics. The Data Steward closes the ticket. If it does not pass QA, the data are sent back to the Data Steward for modification.

4.4 Data Breach

4.4.1   Purpose
Establishing a plan for responding to a data breach, complete with clearly defined roles and responsibilities, will promote better response coordination and help educational organizations shorten their incident response time. Prompt response is essential for minimizing the risk of any further data loss and, therefore, plays an important role in

mitigating any negative consequences of the breach, including potential harm to affected individuals.

4.4.2   Policy

Wasatch Waldorf Charter School shall follow industry best practices to protect information and data. In the event of a data breach or inadvertent disclosure of personally identifiable information, Wasatch Waldorf Charter School staff shall follow industry best practices outlined in the School IT Security Policy for responding to the breach. Further, Wasatch Waldorf Charter School shall follow best practices for notifying affected parties, including students, in the case of an adult student, or parents or legal guardians, if the student is not an adult student.

Concerns about security breaches must be reported immediately to the Information Security Manager who will collaborate with appropriate members of the Wasatch Waldorf Charter School executive team to determine whether a security breach has occurred. If the Wasatch Waldorf Charter School data breach response team determines that one or more employees or contracted partners have substantially failed to comply with Wasatch Waldorf Charter School's IT Systems Security Policy and relevant privacy policies, they will identify appropriate consequences, which may include termination of employment or a contract and further legal action. Concerns about security breaches that involve the Information Security Manager must be reported immediately to the Executive Director.

Wasatch Waldorf Charter School will provide and periodically update, in keeping with industry best practices, resources for preparing for and responding to a security breach.

4.5 Record retention and expungement

4.5.1   Purpose

Records retention and expungement policies promote efficient management of records, preservation of records of enduring value, quality access to public information, and data privacy.

4.5.2   Scope

Wasatch Waldorf Charter School board members and staff.

4.5.3   Policy

The Wasatch Waldorf Charter School staff shall retain and dispose of student records in accordance with Section 63G-2-604, 53A-1-1407, and shall comply with active retention schedules for student records per Utah Division of Archive and Record Services.

In accordance with 53A-1-1407, the Wasatch Waldorf Charter School shall expunge student data that is stored upon request of the student if the student is at least 23 years old. The Wasatch Waldorf Charter School may expunge medical records and behavioral test assessments. Wasatch Waldorf Charter School will not expunge student records of grades, transcripts, a record of the student's enrollment or assessment information. Wasatch Waldorf Charter School staff will collaborate with Utah State Archives and Records Services in updating data retention schedules.

Wasatch Waldorf Charter School maintained student-level discipline data will be expunged after three years.

4.6 Quality Assurances and Transparency Requirements

4.6.1 Purpose

Data quality is achieved when information is valid for the use to which it is applied, is consistent with other reported data and users of the data have confidence in and rely upon it. Good data quality does not solely exist with the data itself, but is also a function of appropriate data interpretation and use and the perceived quality of the data. Thus, true data quality involves not just those auditing, cleaning and reporting the data, but also data consumers. Data quality at is addressed in five areas:

4.6.1.1 Data Governance Structure

The Wasatch Waldorf Charter School data governance policy is structured to encourage the effective and appropriate use of educational data. The Wasatch Waldorf Charter School data governance structure centers on the idea that data is the responsibility of all Wasatch Waldorf Charter School employees and that data driven decision making is the goal of all data collection, storage, reporting and analysis. Data driven decision making guides what data is collected, reported and analyzed.

4.7 Data Transparency

Annually, Wasatch Waldorf Charter School will publically post:

Metadata Dictionary as described in Utah's Student Data Protection Act (SDPA), U.C.A §53A-1-1401

5.0 Policy Owner

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6.0   Exhibits / Appendices / Forms

Appendix A: WCS Employee Non-Disclosure Agreement

FERPA

FERPA is a federal law that protects the privacy interests of students. It affords parents the right to access and request that their children's education records be amended, and gives them some control over the disclosure of the information in these records. FERPA generally prevents schools from sharing student records, or personally identifiable information in these records, without the written consent of a parent, except as provided by law.

At WCS we respect student and family privacy, which mean that we never discuss an individual student with a member of the staff, another teacher, or a parent if that individual is not someone who has a legitimate need to know. This is particularly true of any situation involving grades, evaluations, or assessments; student discipline; student health; or aspects of a student's home or family situation.

Notwithstanding anything in this policy, when a school employee believes that a situation exists which presents a serious threat to the well-being of the student, the employee must notify the student's parent or guardian without delay, unless the matter has already been reported to DCFS, in which case it is the responsibility of DCFS to notify the student's parent or guardian of any possible investigation or take other appropriate action.

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Notwithstanding anything in this policy, when a school employee believes that a student is at-risk of attempting suicide, physical self-harm, or harming others, the employee may intervene and ask the student questions regarding the student's suicidal thoughts, physical self-harming behavior, or thoughts of harming others for the purposes of (1) referring the student to appropriate prevention services, and (2) informing the parent or legal guardian.

I understand that by the virtue of my agreement to work at Wasatch Waldorf Charter School, I may have access to records which contain individually identifiable information such as a social security number or student identification number, of which the disclosure is prohibited by the Family Educational Rights and Privacy Act of 1974 (FERPA). FERPA is a Federal regulation that governs the privacy and disclosure of student records. I acknowledge that I fully understand that no student information is to be released to non-district personnel or third-parties. The intentional disclosure by me of this information violates FERPA policy and could subject me to criminal and civil penalties imposed by law. I further acknowledge that such willful or unauthorized disclosure could constitute just cause for termination of my volunteer services immediately regardless of whether criminal or civil penalties are imposed.

In relation to my work, I must follow the guidelines outlined above. If my assigned responsibilities include access to student files, data, or information, I will abide by the confidentiality and privacy policies of WCS. I understand that if I have any questions regarding the disclosure of information, I must ask WCS administration prior to sharing any observations or information obtained in the course of my service.

Nondisclosure Assurances

I understand that as an employee of Wasatch Waldorf Charter School (including contract or temporary employees) I will:

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1. Complete a Security and Privacy Fundamentals Training.

2. Complete a Security and Privacy Training for Researchers and Evaluators, if your position involves research analysis or if requested by Wasatch Waldorf Charter School Management or Administration.

3. Consult with Wasatch Waldorf Charter School internal data owners when creating or disseminating reports containing data.

4. Use password-protected state-authorized computers when accessing any student-level or staff-level records.

5. NOT share individual passwords for personal computers or data systems with anyone.

6. Log out of any data system/portal and close the browser after each use.

7. Store sensitive data on appropriate-secured location. Unsecured access and flash drives, DVD, CD-ROM or other removable media, or personally owned computers or devices are not deemed appropriate for storage of sensitive, confidential or student data.

8. Keep printed reports with personally identifiable information in a locked location while unattended, and use the secure document destruction service provided at Wasatch Waldorf Charter School when disposing of such records.

9. NOT share personally identifying data during public presentations, webinars, etc. If users need to demonstrate child/staff level data, demo records should be used for such presentations.

10. Redact any personally identifiable information when sharing sample reports with general audiences, in accordance with guidance provided by the student data manager.

11. Take steps to avoid disclosure of personally identifiable information in reports, such as aggregating, data suppression, rounding, recoding, blurring, perturbation, etc.

12. Delete files containing sensitive data after using them on computers, or move them to secured servers or personal folders accessible only by authorized parties.

13. NOT use email to send screenshots, text, or attachments that contain personally identifiable or other sensitive information. If users receive an email containing such information, they will delete the screenshots/text when forwarding or replying to these messages. If there is any doubt about the sensitivity of the data the Student Data Privacy Manager should be consulted.

14. Use secure methods when sharing or transmitting sensitive data. The approved method is sending with password protection. Also, sharing within secured server folders (such as on Google Drive) is appropriate for Wasatch Waldorf Charter School internal file transfer.

15. NOT transmit child/staff-level data externally unless expressly authorized in writing by the data owner and then only transmit data via approved methods such as described in item ten.

16. Limit use of individual data to the purposes which have been authorized within the scope of job responsibilities.

Electronic Devices

Employees, parents and volunteers at Wasatch Waldorf Charter School are not to use personal electronic devices during the school day when in contact with children, unless there is an

emergency situation. Devices should be placed in a silent mode and stored out of site during times when supervising and interacting with students. Cell phones and other electronic devices may be used on breaks, in meetings (as appropriate), and in emergency situations.

Electronic devices may not be used in a way that threatens, humiliates, harasses, intimidates, or violates local, state or federal law of school-related individuals, including students, employees, and visitors. Electronic devices may not be used during Utah Performance Assessment System for Student assessments unless specifically allowed by law, student Individual Education Plan, or assessment directions.

Full-time teachers and other staff may be issued individual computers which are labeled and inventoried by Wasatch Waldorf Charter School. All computers, iPads, and other school property that are used by teachers at the school or taken home to be used, are subject to standards of professional conduct. School property and networks may not be used for unprofessional activities or illegal activities, such as personal use of social media, creation or viewing of pornography, or personal business activities. While incidental personal use of school computers may occur, employees are not to store personal files, photos or information on any electronic device issued or owned by WCS.

Providing IT resources to an employee does not imply an expectation of privacy. WCS Administration or the State of Utah may:

   (a) View, authorize access to, and disclose the contents of electronic files or communications, as required for legal, audit, or legitimate state operational or management purposes;

   (b) Monitor the network or email system including the content of electronic messages, including stored files, documents, or communications as are displayed in real-time by employees, when required for state business and within the officially authorized scope of the person's employment.

An employee may engage in incidental and occasional personal use of IT resources provided that such use does not:

(a) Disrupt or distract the conduct of school business due to volume, timing, or frequency;

(b) Involve solicitation;

(c) Involve for-profit personal business activity;

(d) Involve actions, which are intended to harm or otherwise disadvantage the state; or

(e) Involve illegal and/or activities prohibited by this rule.

An employee shall:

(a) comply with the Government Records Access and Management Act, as found in Section 63G-2-101 et seq., Utah Code, when transmitting information with WCS provided IT resources.

(b) Report to agency management any computer security breaches, or the receipt of unauthorized or unintended information.

(4) While using WCS provided IT resources, an employee may not:

(a) Access private, protected or controlled records regardless of the electronic form without data owner authorization;

(b) Divulge or make known his/her own password(s) to another person;

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(c) Distribute offensive, disparaging or harassing statements including those that might incite violence or that are based on race, national origin, sex, sexual orientation, age, disability or political or religious beliefs;

(d) Distribute information that describes or promotes the illegal use of weapons or devices including those associated with terrorist activities;

(e) View, transmit, retrieve, save, print or solicit sexually-oriented messages or images;

(f) Use state-provided IT resources to violate any local, state, or federal law;

(g) Use state-provided IT resources for commercial purposes, product advertisements or "for-profit" personal activity;

(h) Use state-provided IT resources for religious or political functions, including lobbying as defined according to Section 36-11-102, Utah Code, and rule R623-1;

(i) Represent oneself as someone else including either a fictional or real person;

(j) Knowingly or recklessly spread computer viruses, including acting in a way that effectively opens file types known to spread computer viruses particularly from unknown sources or from sources from which the file would not be reasonably expected to be connected with;

(k) Create and distribute or redistribute "junk" electronic communications, such as chain letters, advertisements, or unauthorized solicitations;

(l) Knowingly compromise the confidentiality, integrity or availability of the School's information resources.

(5) Once WCS Administration determines that an employee has violated this rule, they may impose disciplinary actions.

Training

I certify that I have participated in training provided by Wasatch Waldorf Charter School regarding Student Data Privacy. This has included: (Initial all that Apply)

_____ New Employee / Back to School Review of Handbook and Policy and Procedures

_____ Training by USBE Staff on IDEA and FERPA

_____ Security and Privacy Fundamentals Training Curriculum Module

I understand that if I have any questions regarding the information presented in any training that I must contact my supervisor or the Executive Director for clarification.

Agreements

As an employee of Wasatch Waldorf Charter School, I hereby affirm that: (Initial)

_____ I have read the Employee Non-Disclosure Assurances attached to this agreement form and read and reviewed Data Governance Plan, and all applicable Wasatch Waldorf Charter School policies and procedures. These assurances address general procedures, data use/sharing, and data security.

_____ I will abide by the terms of the Wasatch Waldorf Charter School's board policies and corresponding plans, processes, and procedures;

_____ I grant permission for the manual and electronic collection and retention of security related information, including but not limited to photographic or videotape images, of your attempts to access the facility and/or workstations. Using Wasatch Waldorf Charter School Data and Reporting Systems.

_____ I will use a password-protected computer when accessing data and reporting systems, viewing child/staff records, and downloading reports.

_____ I will not share or exchange individual passwords, for either personal computer(s) or Wasatch Waldorf Charter School system user accounts, with WCS staff or participating program staff.

_____I will log out of and close the browser after each use of Wasatch Waldorf Charter School data and reporting systems.

_____I will only access data in which I have received explicit written permissions from the data owner.

_____I will not attempt to identify individuals, except as is required to fulfill job or volunteer duties, or to publicly release confidential data.

Handling Sensitive Data

_____ I will keep sensitive data on password-protected state-authorized computers.

_____ I will keep any printed files containing personally identifiable information in a locked location while unattended.

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_____ I will not share child/staff-identifying data during public presentations, webinars, etc. I understand that dummy records should be used for such presentations.

_____ I will delete files containing sensitive data after working with them from my desktop, or move them to Google Drive.

Reporting & Data Sharing

_____ I will not disclose or share any confidential data analysis except to other authorized personnel without the expressed written consent of the Data Advisory Team (Executive Director, Data Manager or the Director of Student Support Services).

_____ I will not publically publish any data without the approval of the Executive Director.

 _____ I will take steps to avoid disclosure of personally identifiable information in state-level reports, such as aggregating, data suppression, rounding, recoding, blurring, perturbation, etc.

_____ I will not use email to send screenshots, text, or attachments that contain personally identifiable or other sensitive information. If I need to send PII or information from Student Records, I will do so using password protection. If I receive an email containing such information, I will delete the sensitive information when forwarding or replying to these messages. (This means I will delete the ENTIRE previous thread from my email reply.)

_____I will not transmit student data externally (outside of WCS) unless explicitly authorized in writing by the Wasatch Waldorf Charter School Executive Director.

_____ I understand that when sharing student data with authorized individuals, the only approved methods are phone calls, password protected documents, or other secure methods as

approved by Wasatch Waldorf Charter School. Also, sharing within secured server folders is appropriate for Wasatch Waldorf Charter School internal file transfer.

_____ I will immediately report any data breaches, suspected data breaches, or any other suspicious activity related to data access to my supervisor. Moreover, I acknowledge my role as a public servant and steward of child/staff information, and affirm that I will handle personal information with care to prevent disclosure.

Consequences for Non-Compliance

_____ I understand that access to the Wasatch Waldorf Charter School network and systems can be suspended based on any violation of this contract or risk of unauthorized disclosure of confidential information;

_____I understand that failure to report violation of confidentiality by others is just as serious as my own violation and may subject me to personnel action, including termination.

Termination of Employment

_____I agree that upon the cessation of my employment from Wasatch Waldorf Charter School, I will not disclose or otherwise disseminate any confidential or personally identifiable information to anyone outside of Wasatch Waldorf Charter School without the prior written permission of the Executive Director of Wasatch Waldorf Charter School.

I agree to and certify that all of the preceding information is correct and that I will abide by all agreements and assurances contained therein.

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Print Name: _____

Signed: _____

Date: _____

Appendix B: Protecting Personally Identifiable Information (PII) in Public Reporting

Data Gateway Statistical Reporting Method for Protecting PII

Public education reports offer the challenge of meeting transparency requirements while also meeting legal requirements to protect each student's personally identifiable information (PII). Recognizing this, the reporting requirements state that subgroup disaggregation of the data may not be published if the results would yield personally identifiable information about an individual student. While the data used by the Utah State Board of Education (USBE) and local education agencies (LEAs) is comprehensive, the data made available to the public is masked to avoid unintended disclosure of personally identifiable information at summary school, LEA, or state-level reports.

This is done by applying the following statistical method for protecting PII.

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1. Underlying counts for groups or subgroups totals are not reported.
2. If a reporting group has 1 or more subgroup(s) with 10 or fewer students.
   a. The results of the subgroup(s) with 10 or fewer students are recoded as "N<10"
   b. For remaining subgroups within the reporting group
      i. For subgroups with 300 or more students, apply the following suppression rules.
         1. Values of 99% to 100% are recoded to ≥99%
         2. Values of 0% to 1% are recoded to ≤1%
      ii. For subgroups with 100 or more than but less than 300 students, apply the following suppression rules.
         1. Values of 98% to 100% are recoded to ≥98%
         2. Values of 0% to 2% are recoded to ≤2%
      iii. For subgroups with 40 or more but less than 100 students, apply the following suppression rules.
         1. Values of 95% to 100% are recoded to ≥95%
         2. Values of 0% to 5% are recoded to ≤5%
      iv. For subgroups with 20 or more but less than 40 students, apply the following suppression rules.
         1. Values of 90% to 100% are recoded to ≥90%
         2. Values of 0% to 10% are recoded to ≤10%
         3. Recode the percentage in all remaining categories in all groups into intervals as follows (11-19,20-29,…,80-89)
      v. For subgroups with 10 or more but less than 20 students, apply the following suppression rules.
         1. Values of 80% to 100% are recoded to ≥80%
         2. Values of 0% to 20% are recoded to ≤20%
         3. Recode the percentage in all remaining categories in all groups into intervals as follows (20-29,30-39,…,70-79)

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Appendix C:

Wasatch Charter School

Third Party Restriction of Use of
Confidential Information Agreement

A third-party contractor shall use personally identifiable student data received under a contract with Wasatch Charter School **strictly for the purpose of providing the contracted product or service within the negotiated contract terms**.

When contracting with a third-party contractor, Wasatch Charter School requires:

1. A description of any person or entity, including an affiliate of the third-party contractor, with whom the third-party contractor may share student data.
2. Third-party contractor agree to delete student date at the request of Wasatch Charter School.
3. Secondary uses of personally identifiable student data by third-party contractors is strictly prohibited except where approved by Wasatch Charter School.
4. Wasatch Charter School or a Wasatch Charter School designee may audit the third-party contractor to verify compliance with the contract.
5. As authorized by law or court order, a third-party contractor shall share student data as requested by law enforcement.
6. A third party contractor may:
   a. use student data for adaptive learning or customized student learning purposes;

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b. market an educational application or product to a parent or legal guardian of a student if the third-party contractor did not use student data, shared by or collected on behalf of an education entity, to market the educational application or product;
c. use a recommendation engine to recommend to a student:
    i.   content that relates to learning or employment, within the third-party contractor's internal application, if the recommendation is not motivated by payment or other consideration from another party; or Utah Code Page 11
    ii. services that relate to learning or employment, within the third-party contractor's internal application, if the recommendation is not motivated by payment or other consideration from another party;
    iii. respond to a student request for information or feedback, if the content of the response is not motivated by payment or other consideration from another party;
d. use student data to allow or improve operability and functionality of the third-party contractor's internal application; or
e. identify for a student nonprofit institutions of higher education or scholarship providers that are seeking students who meet specific criteria:
    i.   regardless of whether the identified nonprofit institutions of higher education or scholarship providers provide payment or other consideration to the third-party contractor; and
    ii. only if the third-party contractor obtains written consent:
        1. of a student's parent or legal guardian through the student's school or LEA; or
        2. for a student who is age 18 or older or an emancipated minor, from the student.

       iii. A third-party contractor is not required to obtain written consent if the third-party contractor:

1. is a national assessment provider; and
2. secures the express written consent of the student or the student's parent; and
3. the express written consent is given in response to clear and conspicuous notice that the national assessment provider requests consent solely to provide access to information on employment, educational scholarships, financial aid, or postsecondary educational opportunities.

7. At the completion of a contract with an education entity, if the contract has not been renewed, a third-party contractor shall return or delete upon the education entity's request all personally identifiable student data under the control of the education entity unless a student or the student's parent consents to the maintenance of the personally identifiable student data.
8. A third-party contractor may not, except as provided elsewhere:
   a. sell student data;
   b. collect, use, or share student data, if the collection, use, or sharing of the student data is inconsistent with the third-party contractor's contract with the education entity; or
   c. use student data for targeted advertising.
   d. A person may obtain student data through the purchase of, merger with, or otherwise acquiring a third-party contractor if the third-party contractor remains in compliance with this section.
9. A provider of an electronic store, gateway, marketplace, or other means of purchasing an external application is not required to ensure that the external application obtained through the provider complies with this section.

10. The provisions of this section do not:
   a. apply to the use of an external application, including the access of an external application with login credentials created by a third-party contractor's internal application;
   b. apply to the providing of Internet service; or
   c. impose a duty on a provider of an interactive computer service, as defined in 47 U.S.C. Sec. 230, to review or enforce compliance with this section.

As a third-party contractor of Wasatch Charter School, I hereby affirm that I have read the above Third Party Restrictions of Use of Confidential Information Agreement and all applicable Wasatch Charter School policies and procedures and will abide by all terms, agreements and assurances contained therein.

Contracted Entity: _____

Print Name: _____

Signed: _____

Date: _____

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7.0 Supporting Information

8.0 Document History