

Utah Virtual Academy
Student Data Disclosure Policy
2017/2018

Utah Virtual Academy (UTVA) collects student data that is necessary to provide its students with appropriate educational services and programs. The collected data is stored in the students' cumulative record.

Collection, Use, and Sharing Student Data

The collection, use, and sharing of student data has both benefits and risks. Parents and students should review this information to learn about these benefits and risks to make informed decisions regarding this data.

Student data is collected by UTVA during the enrollment process and through the parent portal. All paper documents collected during this process is maintained in a fire proof, locked filing cabinet, at the UTVA office. Student data is stored and secured in an individual student cumulative file, as well as within the UTVA online educational system.

In addition to data that is stored on site, critical online information is securely maintained by K12 and data backups occur daily. Data is backed up to a separate, disk-based storage system in a secure, geographically segregated data center for optimal protection.) K12 also employs a data replication strategy and architecture. This data replication strategy is designed to help protect against data loss should the primary data center experience a catastrophic event requiring K12 to run system operations from our contingency data center.

Collecting student data -- Prohibition -- Student data disclosure statement --Authorization

UTVA may collect necessary student data and maintain that data in a cumulative record from:

- the student, if the student is an adult student; or
- the student's parent, if the student is not an adult student.

In accordance with state guidelines, UTVA will collect the student data listed below beginning the 2017/2018 academic school year. All collected student data will be maintained in the student's cumulative record

- Student Name
- Birth Certificate US or Country of Origin/student's age
- Proof of Residence
- Immunization record
- Free and Reduce Lunch Status

- School behavior record, including suspension and expulsion records (as appropriate)
- Vision and Hearing Screenings
- Special education program information (as appropriate), including:
 - an individualized education program;
 - a Section 504 accommodation plan; or
 - an English learner plans

In addition, accordance with state guidelines, UTVA will collect the following **optional data**, based on individual student need:

- Official Immigration Documentation
- US citizenship official documentation
- US Passport
- School Transcripts
- Promotion, Grade Placement, and Retention History
- Attendance history
- High School course credit history
- Report Cards
- Academic testing results such as ACT, Diebels, SAGE, and interim assessments
- Court Documents signed or stamped by a judge, magistrate, or deputy clerk
- Court Orders
- Proof of legal guardianship, per state guidelines
- Department of Child Services Documentation
- Children’s Health Information Red Pack (“CHIRP”) Form
- Written statement signed by one parent or guardian that the child is an adherent of a religious denomination
- English Language Learning needs
- Medical and social developmental history, as necessary to ensure educational access and programming
- Evaluation reports, such as cognitive and achievement data, as necessary to ensure educational access and programming

UTVA will not request or collect a student’s social security number or criminal record unless required by law.

Utah Virtual Academy
Data Security and Governance Policy
2017/2018

Sharing student data -- Prohibition -- Requirements UTVA's Data Manager

UTVA will not share a student's personally identifiable student data if the personally identifiable student data is not shared in accordance with: the Family Education Rights and Privacy Act (FERPA) and related provisions under 20 U.S.C. Secs. 1232g and 1232h; and this policy.

The Data Manager will be responsible for the following and will serve as the primary point of contact questions about student data from students, parents and state officials.

- UTVA's Data Manager authorize and manage the sharing of personally identifiable student data from a cumulative record for UTVA.
- The UTVA's Data Manager will not permit the sharing of student personally identifiable data from a cumulative record outside of the school without parent permission.
- UTVA's Data Manager may share the personally identifiable student data of a student with the student and the student's parent, if the student is under 18 years of age.
- UTVA's Data Manager may share a student's personally identifiable student data from a cumulative record with:
 - a school official;
 - an authorized caseworker or other representative of the Utah Department of Human Services if;
 - (a) the Department of Human Services is:
 - (i) legally responsible for the care and protection of the student; or
 - (ii) providing services to the student;
 - (b) the student's personally identifiable student data is not shared with a person who is not authorized:
 - (i) to address the student's education needs; or
 - (ii) by the Department of Human Services to receive the student's personally identifiable student data; and
 - (c) the Department of Human Services maintains and protects the student's personally identifiable student data, or
 - a person to whom UTVA has outsourced a service or function:
 - (i) that the education entity's employees would typically perform; or
 - (ii) to research the effectiveness of a program's implementation;
- UTVA's Data Manager may share personally identifiable student data in response to a subpoena issued by a court

The UTVA's Data Manager may share aggregate data:

- If UTVA's Data Manager receives a request to share data for the purpose of external research or evaluation. The student data manager shall:
 - submit the request to UTVA's external research review process; and
 - fulfill the instructions that result from the review process.
- UTVA's Data Manager may not share personally identifiable student data for the purpose of external research or evaluation.

Aggregate data means data that:

- (a) are totaled and reported at the group, cohort, school, school district, region, or state level with at least 10 individuals in the level;
- (b) do not reveal personally identifiable student data; and
- (c) are collected in accordance with board rule.

Student ownership of their own data --

A student owns the student's personally identifiable student data and owns all rights to their personal data. Students and parents are responsible for their own collection, use, or sharing of their student data. A student may download, export, transfer, save, or maintain his or her student's student data.

Notification in case of breach

If there is a release of a student's personally identifiable student data due to a UTVA security breach, UTVA will notify:

- the student, if the student is an adult student; or
- the student's parent or legal guardian, if the student is not an adult student.

Biometric Identifier Information

UTVA has elected not to collect student biometric identifier information, at this time.

Compliance With Applicable Law

This policy is a good faith attempt to comply with all applicable laws. To the extent any provision of this policy does not comply with any applicable law, it is invalid to the extent to it does not comply with any applicable law.