

## Garfield County School District

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# Data Management Plan

### 1. 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. Garfield County School District 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 requires that Garfield County School District adopt a Data Governance Plan.

### 2. Definitions

#### 2.1. Personally Identifiable Student Data:

As defined in U.C.A. §53A-1-14012, student data that identify or are used by the holder to identify a student, and include, but are not limited to: a student's first and last name; the first and last name of a student's family member; a student's or a students' 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 biometric identifier; a student's health or disability data; a student's education entity student identification number; a student's social media user name and password or alias; if associated with personally identifiable student data, a student's persistent identifier, including a customer number held in a cookie or a processor serial number; 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.

Personally identifiable student data also includes all student information protected by the Family Educational Rights and privacy Act, 20 U.S. Code §1232g and 34 CFR Part 99 (hereinafter "FERPA"), the Government Records and Management Act U.C.A. §62G-2 (hereinafter "GRAMA"), U.C.A. §53A-1-1401 et seq and Utah Administrative Code R277- 487.

#### 2.2. De-identified or Aggregate Student Data:

Data consisting of student groups greater than 10 students that the reasonably informed person could not extrapolate back to individual students.

### 3. Scope and Applicability

This plan is applicable to all employees, temporary employees, and contractors of the Agency. The plan must be used to assess agreements made to disclose data to third-parties . This plan must also be used to assess the risk of conducting business. In accordance with Garfield County School District's policy and procedures, this plan will be reviewed and adjusted on a regular basis, as needed. This plan is designed to ensure only authorized disclosure of confidential information.

### 4. Plan

The following 8 subsections provide data governance plans and processes for Garfield County School District:

1. Data Security and Privacy Training for Employees
2. Data Disclosure
3. Record Retention and Expungement
4. Data Quality
5. Transparency

The Garfield County School District Data Governance Plan works in conjunction with the district's Information Security Policy which:

- Requires Data Stewards to manage confidential information appropriately and in accordance with all legal mandates, Utah State Board administrative rules, District policies and procedures.
- Complies with all legal, regulatory, and contractual obligations regarding privacy of Agency data. Where such requirements exceed the specific stipulation of this plan, the legal, regulatory, or contractual obligation shall take precedence.
- Ensures that all Garfield County School District employees comply with the policy and undergo annual security training.
- Provides policies and processes for maintaining industry standard information and physical security safeguards to protect student data.

Furthermore, Garfield County School District Data Governance Plan also works in conjunction with the district's Data Breach Response Plan which:

- Defines the goals and the vision for the breach response process.
- Defines to whom it applies and under what circumstances,
- Defines a breach, staff roles and responsibilities, standards and metrics (e.g., to enable prioritization of the incidents), as well as reporting, remediation, and feedback mechanisms.

- Emphasizes Garfield County School District's established culture of openness, trust and integrity.

#### **4.1. Privacy Training for Employees**

Garfield County School District will provide a range of training opportunities for all district employees with access to student educational data or confidential educator records in order to minimize the risk of human error and misuse of information.

All employees will be required to participate in a privacy training as part of the annual compliance training. Completion of Garfield County School District's compliance training is a condition of employment.

#### **4.2. Data Disclosure**

Providing data to persons and entities outside of the Garfield County School District increases transparency, promotes education in Utah, and increases knowledge about Utah public education. This plan establishes the protocols and procedures for sharing data maintained by Garfield County School District. 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.

##### **4.2.1. Parental Access to Educational Records**

In accordance with FERPA regulations 20 U.S.C. § 1232g (a)(1) (A) (B) (C) and (D), LEAs 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. Garfield County School District is not required to provide data that it does not maintain, nor is Garfield County School District required to create education records in response to an eligible student's request.

##### **4.2.2. Third Party Vendor access to Personally Identifiable Student Data**

Third party vendors may have access to Personally Identifiable Student Data 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).

All third-party vendors contracting with Garfield County School District 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 Garfield County School District without third-party verification that they are compliant with federal and state law, and board rule.

#### **4.2.3. Governmental Agency Requests**

The requesting governmental agency must provide evidence 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
- C. Evaluation

The Coordinator of Data and Statistics will ensure the proper data disclosure avoidance are included if necessary.

#### **4.2.4. Research Projects requesting Personally Identifiable Student Data**

The Garfield County School District recognizes good research as a building block for understanding and improving education. Garfield County School District will only share Personally Identifiable Student Data with outside entities for the purpose of research projects in accordance with State and Federal Law when data authorization is given by a parent or eligible student as defined in FERPA, 34 CFR §§ 99.31(a)(1), 99.7(a)(3)(iii) and U.C.A §53A-1-1401. In addition, when sharing Personally Identifiable Student Data with outside entities, Garfield County School District shall obtain agreements with recipients of student data where recipients agree not to report or publish data in a manner that discloses students' identities.

#### **4.2.5. Research Projects requesting Non-Personally Identifiable Student Data**

Garfield County School District may accept external data requests from individuals or organizations requesting Non-Personally Identifiable Student Data or Information that has been sufficiently de-identified for the purpose of research.

#### **4.2.6. Directory Information**

Garfield County School District may disclose directory information as prescribed in FERPA, 34 CFR §§ 99.31(a)(1), 99.7(a)(3)(iii) and U.C.A §53A-1-1401. Parents or eligible students may opt-out of directory information disclosure.

#### **4.2.7. Marketing**

In accordance with U.C.A §53A-1-1401 and Utah Administrative Rule R277-487-6; Data maintained by Garfield County School District, including data provided by contractors, may not be sold or used for marketing purposes (except with regard to authorized uses or directory information not obtained through a contract with an educational agency or institution).

### 4.3. Research Application Process

#### 4.3.1. Priority

Priority is given to projects that:

- A. Yield useful products or data for our schools.
- B. Align with District programs, goals, and mission.
- C. Are conducted by Garfield County School District staff in pursuit of advanced degrees.
- D. Are not intrusive or interrupt classroom/school activities.

Low priority is given to projects that:

- A. Study domains extraneous to improving the quality of teaching and learning.
- B. Study domains that are inconsistent with the goals and mission of the District.
- C. Include market research which does not relate to the District's long-range objectives.
- D. Include longitudinal research which requires tracking subjects and data from year to year.
- E. Include topics unrelated to District programs.
- F. Invade the privacy of subjects or pose unjustified risk.

#### 4.3.2. Application Procedures

A completed application must include the follow items listed below. Please allow 2-3 weeks for a decision once completed materials have been received.

1. A completed Research Project Request (Form 521). (You may reference details from your research proposal on the application.)
2. Copy of your research proposal.
3. Copy of all interview protocols, surveys, questionnaires, observation guides, etc.
4. Copy of all disclosures and consent forms.
5. Copy of the IRB approval (or documentation that IRB approval is pending)
6. Copy of the vita or resume of the investigator(s). (Optional)

All Application materials should be submitted to:

Slader Matthew  
IT Director  
Garfield County School District  
145 E Center  
Panguitch, UT 84759

slader.matthew@garfk12.org

(435) 690-9692

#### **4.3.3. Review Process**

Garfield County School District's Director of Assessment & Research will review each request and determine which requests will be fulfilled based on priorities as established above, risk to students personal data, district policy, and established state and federal laws.

#### **4.4. Record Retention and Expungement**

Upon written request of the student and in accordance with U.C.A §53A-1-1407, Garfield County School District shall expunge the student's specific data in the active database if the student is at least 23 years old. Garfield County School District will maintain the written request for expungement. Garfield County School District may expunge medical records and behavioral test assessments in the active database when they are no longer needed. Garfield County School District will not expunge student records of grades, transcripts, a record of the student's enrollment, assessment information or backups archives where data is compressed and highly intertwined in such a way that separation is impracticable.

#### **4.5. Data Quality**

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:

#### **4.5.1. Data Governance Structure**

The Garfield County School District data governance plan is structured to encourage the effective and appropriate use of educational data. The Garfield County School District data governance structure centers on the idea that data is the responsibility of all Garfield County School District departments and schools 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.

#### **4.5.2. Data Collection**

When possible and to avoid data duplication, data is collected at the lowest level available.

### **4.6. Transparency**

Annually, Garfield County School District will publicly post:

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