



Hawthorn Academy
Policy: Student Data Privacy and Security Policy
Adopted: October 10, 2018

Purpose

Hawthorn Academy (the "School") is responsible for protecting the privacy of student data and ensuring data security. The purpose of this policy is to describe how the School will perform this responsibility in compliance with state and federal law.

Policy

The School will comply with state and federal laws regarding student data privacy and security, including but not limited to Chapter 9 of Title 53E of the Utah Code, Utah Administrative Code Rule R277-487 Public School Data Confidentiality and Disclosure, and the federal Family Educational Rights and Privacy Act.

Utah Code Ann. § 53E-9-301 *et seq.* requires the School to, among other things:

- (1) Adopt policies to protect student data in accordance with the Act;
- (2) Designate a student data manager;
- (3) Create, maintain, and publish a data governance plan;
- (4) Create, maintain, and publish a metadata dictionary;
- (5) Establish an external research review process for a request for data for the purpose of external research or evaluation;
- (6) Distribute and publish a student data collection notice; and
- (7) Require third-party contractors that receive student data from the School to enter into a contract with the School concerning, among other things, the third-party contractor's collection, use, storage, and sharing of the student data.

Student Data Manager

The School hereby designates the Lead Director as the School's Student Data Manager. The Lead Director shall fulfill the responsibilities of a student data manager described in Utah Code Ann. § 53E-9-308 and rules adopted by the Utah State Board of Education. When appropriate, the Lead Director may delegate such responsibilities to another individual.

Data Governance Plan

The Lead Director shall establish an administrative Data Governance Plan that complies with the requirements of Utah Code Ann. § 53E-9-301 *et seq.* and rules adopted by the Utah State Board of Education. The Data Governance Plan shall encompass the full life cycle of student data, from acquisition, to use, to disposal, and shall, among other things:

- (1) Incorporate reasonable data industry best practices to maintain and protect student data and other education-related data;
- (2) Describe the role, responsibility, and authority of the School's data and security managers, employees and volunteers, educators, and other parties;
- (3) Provide for necessary technical assistance, training, support, and auditing;

- (4) Describe the process the School will follow in connection with sharing student data with third-parties, including appropriate third-party contractors;
- (5) Describe the School's data expungement process, including how to respond to requests that data be expunged;
- (6) Include the School's external research review process for a request for data for the purpose of external research or evaluation; and
- (7) Describe actions the School will take to prevent data breaches as well as the response process the School will follow in the event of a data breach.

The Data Governance Plan shall work in conjunction with this policy, the School's metadata dictionary, and any other School policy or administrative procedure or plan concerning student data privacy and security.

The Data Governance Plan shall be published as required by Utah Law and rules adopted by the Utah State Board of Education.

Metadata Dictionary

The Lead Director shall ensure that the School creates, maintains, and publishes a metadata dictionary in accordance with Utah Code Ann. § 53E-9-301 *et seq.* and rules adopted by the Utah State Board of Education.

Training

On an annual basis, the School shall provide appropriate student data privacy training to its employees, aides, and volunteers who are authorized by the School to have access to education records as defined in the Family Educational Rights and Privacy Act.

Signature:



Meggen Pettit, Board President

October 10, 2018

Date