

## Student Data Privacy and Protection Policy Compliance Checklist

Requirement	Check	<b>Sample CDE Policy</b> <i>*Note: CDE's sample policies are optional and contain provisions that extend beyond the minimum statutory requirements. CSI Schools are encouraged to review the sample policies and tailor them to meet the needs of the school, provided that minimum requirements are being met. .</i>
<b>The policy addresses creating and maintaining a student data index</b> [e.g., addresses the requirement that the school post and maintain on its website a clear explanation of the Student PII the school collects (not including the info transmitted to CDE); addresses the requirement that the school post on its website a link to the data inventory/data index published by the state board].		Data Governance and Transparency
<b>The policy addresses retention and destruction of Student PII</b> [e.g., addresses what information is encrypted; how Student PII is stored; how long Student PII is retained; destroying and sanitizing Student PII].		Data Encryption  Data Retention  Data Destruction and Sanitization
<b>The policy addresses using Student PII for purposes internal to the school</b> [e.g., security in collecting and storing information; monitoring security of Student PII; what information can/cannot be shared or accessed by others, etc.].		Data Governance and Transparency  Student Data Collection  Security Monitoring  Data Privacy  Securing Sensitive Information
<b>The policy addresses preventing breaches</b> [e.g., all breaches of Student PII and not just vendor breaches].		Data Breach
<b>The policy addresses responding to any security breaches</b> [e.g., any breaches of Student PII, not just breaches by vendors; includes specific provisions for breaches by School Service Contract Providers (public hearing by board w/in reasonable time after identifying existing of breach that includes discussion re: nature of the breach + opportunity for Contract Provider to respond + opportunity for public testimony + decision as to whether to terminate contract); specific provisions regarding breaches by On-Demand Provider (procedures for addressing breach must include discussion of whether to cease using On-Demand Provider + notifying the On-Demand		Data Breach  <u>CDE Webpage on On-Demand Providers</u>

Provider if ceasing to use + providing On-Demand Provider opportunity to respond in writing + posting this info on school's website + notifying CDE].		
<b>The policy addresses requirements for contracting with Contract Providers and using services by On-Demand Providers</b> [e.g., statement that the school will not enter into or renew a contract with a Contract Provider that refuses to abide by the requisite contract terms regarding Data Transparency, Use of Data, and Data Security and Destruction, or provisions relating to material breach; addresses the requirements for posting requisite information school's website].		Third Party Contracts  See Section I of CSI's Guidance Document for contract provision requirements  See Section III of CSI's Guidance Document for online posting requirements
<b>The policy addresses disclosing Student PII to Contract Providers, On-Demand Providers, or other third parties</b> [e.g., information that a vendor can/cannot access; vendor responsibilities and internal controls; what can/cannot be outsourced to a third-party vendor; contract requirements].		Vendor Access  Outsourcing  Third Party Contracts
<b>The policy addresses notifying parents regarding collection of, retention of, and access to Student PII</b> [e.g., the information that is collected, who can access, etc.].		Data Governance and Transparency
<b>The policy addresses notifying parents of their rights relating to the Student PII maintained by the school and the complaint process</b> [e.g., right to inspect/review Student PII maintained by school, request paper or electronic copy of Student PII, right to request corrections of Student PII; also includes a board-adopted complaint process regarding school's compliance with the Act that provides parents the opportunity to submit information to the school's board + board must take action on complaint w/in 60 days after hearing]. Note: The complaint process can be included in the Student Data Privacy Policy, be a stand-alone policy, or be included in the school's grievance policy.		See Section II of CSI's Guidance for complaint policy requirements
<b>The policy addresses providing training in student information security and privacy to employees of the school</b> [e.g., the training that is provided; who is responsible for providing training; who must attend training; topics covered, etc.].		Security Training
<b>The policy requires the school's board to annually review the policy and make any revisions as necessary to stay current and adequately protect Student PII in light of advances in data technology and dissemination.</b>		N/A
<b>The policy addresses that the school will make copies of this policy upon request to the parent of an enrolled student and shall post a current copy of the policy on the school's website.</b>		N/A

## Student Data Privacy and Protection Online Posting Checklist

Requirement	Check	Resource
<b>Clear information explaining the data elements of Student PII that the school collects and maintains in its data system (not including the Student PII that it transmits to CDE). The list must explain how the school uses and shares the Student PII.</b>		Data Governance and Transparency
<b>A link to the index of data elements that the state board publishes. The link is: <a href="http://www.eddataportal.info/cde">http://www.eddataportal.info/cde</a></b>		<a href="http://www.eddataportal.info/cde">http://www.eddataportal.info/cde</a>
<b>A list of the Contract Providers with which it contracts and a copy of each contract.</b>		N/A
<b>The information from the Contract Provider regarding the data elements of Student PII it collects, the learning purpose for which it collects it, and how the Contract Provider uses and shares the information.</b> The Contract Provider must provide this in a format that is easily accessible through a website, and the school must post this information.		This is provided by the Contract Provider. See Section (l)(1)(a) of CSI's Guidance Document
<b>The school's current Student Information Privacy Protection Policy.</b>		N/A
<b>If using any On-Demand Providers:</b>		
<b>A notice to On-Demand Providers</b> that, if the school ceases using or refuses to use an on-demand school service provided for the reasons set forth above, the school will post on its website the name of the On-Demand Provider, with any written response received, and will notify the CDE, which will also post on its website the On-Demand Provider's name and any written response (this information, along with information about how to send this information to CDE, will be posted on CDE's On-Demand Provider Transparency page).		Can use language from the statute  <u><a href="#">CDE Webpage on On-Demand Providers</a></u>
<b>A list of any school service On-Demand Providers that it ceases using or refuses to use</b> because the On-Demand Provider's (i) fails to comply with its own privacy policy; (ii) sells Student PII for an impermissible purpose, uses or shares Student PII for purposes of targeted advertising to students, or uses Student PII to create a personal profile of a student for purposes outside the contract or without the consent of the student or student's parents; or, (iii) fails		N/A

to maintain a comprehensive security program to protect Student PII. <b>The school must also post any written response from the On-Demand Provider after it has been notified it will no longer be used.</b>		
<b>To the extent practicable, a list of the school service On-Demand Providers that the school or one of its employees uses for school services.</b> At a minimum, this list must be updated at the beginning and mid-points of each school year.		N/A