

## **Santa Clara County Office of Education Pledge to Safeguard Student Privacy**

The Santa Clara County Office of Education (SCCOE) is honored to be entrusted by educators and families to support their educational needs and school operations. We take responsibility to both support the effective use of student information and safeguard student privacy and information security.

The SCCOE supports school districts – including their teachers, students and parents – to manage student data, carry out school operations, support instruction and learning opportunities, and develop and improve products/services intended for educational/school use. In so doing, it is critical that schools and the SCCOE build trust by protecting the privacy of student information and effectively communicating with districts about how student information is used and safeguarded.

We pledge to carry out responsible stewardship and appropriate use of student personal information gathered in our role as a district service provider according to the commitments below and in adherence to all laws applicable to us as a district service provider.

We Commit To:

- Not collect, maintain, use or share student personal information beyond that needed for authorized educational/school purposes, or as authorized by the parent/student.
- Not sell student personal information.
- Not use or disclose student information collected through an educational/school service (whether personal information or otherwise) for behavioral targeting of advertisements to students.
- Not build a personal profile of a student other than for supporting authorized educational/school purposes or as authorized by the district.
- Not make material changes to district service provider privacy policies without first providing prominent notice to the account holder(s) (i.e., the educational institution/agency) and allowing them choices before data is used in any manner inconsistent with terms they were initially provided; and not make material changes to other policies or practices governing the use of student personal information that are inconsistent with contractual requirements.
- Not knowingly retain student personal information beyond the time period required to support the authorized educational/school purposes.
- Collect, use, share, and retain student personal information only for purposes for which the SCCOE is authorized by the educational institution/agency.
- Disclose clearly in contracts or privacy policies, including in a manner easy for school districts and parents to understand, what types of student personal information we collect, if any, and the purposes for which the information we maintain is used or shared with third parties.
- Support access to and correction of student personally identifiable information by the student or their authorized parent by assisting the educational institution in meeting its requirements.
- Maintain a comprehensive security program that is reasonably designed to protect the security, privacy, confidentiality, and integrity of student personal information against risks – such as unauthorized access or use, or unintended or inappropriate disclosure –

through the use of administrative, technological, and physical safeguards appropriate to the sensitivity of the information.

- Require that our vendors with whom student personal information is shared in order to deliver the educational service, if any, are obligated to implement these same commitments for the given student personal information.
- Allow a successor entity to maintain the student personal information, in the case of merger or acquisition by another entity, provided the successor entity is subject to these same commitments for the previously collected student personal information.

Notes:

- Some school service providers may be subject to additional legal obligations, contractual commitments, or requests from educational institutions or parents/students that direct or otherwise authorize additional uses of student data, other than those specified above.
- Nothing in this pledge is intended to prohibit the use of student personal information for authorized purposes of adaptive learning or customized education.
- This pledge is intended to be applicable to new contracts and policies going forward and addressed – where inconsistent and as agreed to by the educational institution/agency – in existing contracts as updated over time.

This pledge shall be effective as of January 1, 2018.

Definitions:

- ‘Educational/School purposes’ are services or functions that customarily take place at the direction of the educational institution/agency for which the institutions or agency would otherwise use its own employees, and that aid in the administration or improvement of educational and school activities (e.g., instruction, administration, and development and improvement of products/services intended for educational/school use).
- ‘Student personal information’ is personally identifiable information as well as other information when it is both collected and maintained on an individual level and is linked to personally identifiable information.
- ‘Student’ applies to students of United States elementary and secondary schools, and with regard to notice and consent applies only to students of appropriate age as authorized under relevant United States federal law.
- ‘Parent’ includes a student’s legal guardian.

*This Pledge is neither intended as a comprehensive privacy policy nor to be inclusive of all requirements to achieve compliance with all applicable federal or state laws. For more information, visit <http://studentprivacypledge.org>.*