



School Board Briefing/Proposed Action Report

Informational (no action required by Board) **Action Report** (Board will be required to take action)

DATE: August 8, 2016
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Clover Codd, Assistant Superintendent of Human Resources, clcodd@seattleschools.org; Michal Perlstein, Director of Human Resources Data and Systems, maperlstein@seattleschools.org; Erinn Bennett, Executive Director of Government Relations and Strategic Initiatives, epbennett@seattleschools.org; Ronald Boy, Assistant General Counsel, rdboy@seattleschools.org

I. TITLE

Adopting Policy No. 6501, Data Privacy

For Introduction: August 24, 2016

For Action: September 7, 2016

II. WHY BOARD ACTION IS NECESSARY

The School Board is the governing body with the authority to adopt, amend, and repeal policies for the District. Board action is therefore required.

III. FISCAL IMPACT/REVENUE SOURCE

The fiscal impact of this action is believed to be N/A.

The revenue source for this motion is N/A.

Expenditure: One-time Annual Other Source

IV. POLICY IMPLICATION

If approved, this motion would adopt a new policy, Policy No. 6501, Data Privacy.

V. RECOMMENDED MOTION

I move the School Board adopt Policy No. 6501, Data Privacy, as attached to the Board Action Report.

VI. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the March 15, 2016, April 19, 2016, May 12, 2016, June 9, 2016, and August 18, 2016 Audit & Finance Committee meetings. On August 18 2016, the Committee reviewed the motion and moved the item forward to the full Board with a recommendation for approval

VII. BACKGROUND INFORMATION

In 2012, the Human Resources department received an audit finding from the Internal Audit Office because of a lack of a written policy or procedure that protected employees' private information.

While the district currently has policies and procedures regarding Student Records (3231) and Personnel Records (5260), this proposed policy was developed as an umbrella data privacy policy regarding the personally identifiable information of students, parents/guardians, volunteers, and employees. It also includes language that third parties who are granted access to personally identifiable information are also required to comply with all laws and district policies and procedures.

VIII. STATEMENT OF ISSUE

Whether to adopt Policy No. 6501, Data Privacy

IX. ALTERNATIVES

1. Do not adopt Policy No. 6501. This is not recommended because there is not currently an umbrella policy that governs data privacy. In addition, the internal audit finding would not be addressed.

X. RESEARCH AND DATA SOURCES / BENCHMARKS

Multiple departments, including Human Resources, Technology, Audit Response, Legal, Policy, and Partnerships, worked together to develop this new policy.

In addition, staff reviewed policies from districts in Minneapolis, Portland, Spokane, San Francisco, Tacoma and Bellevue, as well as model policies from the Washington State School Directors' Association (WSSDA).

XI. TIMELINE FOR IMPLEMENTATION / COMMUNITY ENGAGEMENT

The Human Resources department met with the Chief Engagement Officer to analyze the amount of community engagement that needed before presenting this policy for approval. The Community Engagement tools were used and it was determined that this umbrella policy impacts internal stakeholders in various departments, but does not have a large impact on students, families or community organizations. There are several policies which conceptually fit under this umbrella policy, which, if it was determined that changes needed to be made to those, may warrant additional community engagement. For example, Policy No. 3231 is regarding Student Records and there is interest from various community stakeholders (including parents) that want stricter rules governing student identifiable data. There has been a large national movement to include stricter guidelines with the use and handling of student data. It was not the scope of the Human Resource audit finding to revise any of the policies that relate to student data. The goal of this policy is to ensure staff understand the importance of identifiable data, whether it is for students, employees, or partners – and ensure that data is handled properly and confidentially. The impact of our internal stakeholder engagement is to create an internal working group that will design a staff training on how to properly secure, store and handle identifiable data.

Upon approval of this motion, Policy No. 6501 will go into immediate effect and be posted online. The Human Resources department will develop administrative procedures to help implement internal controls for the protection of employee private information accumulated in the course of District operations.

XII. ATTACHMENTS

- Policy No. 6501 (for approval)
- Graphic (for illustrative purposes only)