

Colorado Military Academy
Board Policy
Privacy and Protection of Confidential Student Information

Colorado Military Academy is committed to protecting the confidentiality of student information obtained, created and/or maintained by the school. Student privacy and the school's use of confidential student information are protected by federal and state law, including the Family Educational Rights and Privacy Act (FERPA) and the Student Data Transparency and Security Act (the Act). The school will manage its student data privacy, protection and security obligations in accordance with this policy and applicable law.

Definitions

"Student education records" are those records that relate directly to a student. Student education records may contain, but not necessarily be limited to, the following information: identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude and psychological tests; interest inventory results; health and medical information; family background information; teacher or counselor ratings and observations; reports of serious or recurrent behavior patterns; and any Individualized Education Program (IEP).

"Student personally identifiable information" or "student PII" means information that, alone or in combination, personally identifies an individual student or the student's parent or family, and that is collected, maintained, generated, or inferred by the school, either directly or through a school service, or by a school service contract provider or school service on-demand provider.

"Security breach" means the unauthorized disclosure of student education records or student PII by a third party.

The following terms used in this policy shall be as defined by the Act: "school service," "school service contract provider" and "school service on-demand provider."

Access, collection and sharing within the school

The school shall follow applicable law and school policy in the school's access to, collection and sharing of student education records.

School staff members shall ensure that confidential information in student education records is disclosed within the school only to officials who have a legitimate educational interest, in accordance with applicable law and school policy.

Appropriate school staff members shall be required to sign and comply with the school's agreement concerning the protection of confidential student information, which describes the appropriate uses and safeguarding of student education records.

Outsourcing and disclosure to third parties

School staff members shall ensure that student education records are disclosed to persons and organizations outside the school only as authorized by applicable law and school policy. The term

“organizations outside the school” includes school service on-demand providers and school service contract providers.

Any contract between the school and a school service contract provider shall include the provisions required by the Act, including provisions that require the school service contract provider to safeguard the privacy and security of student PII and impose penalties on the school service contract provider for noncompliance with the contract.

In accordance with the Act, the school shall post the following on its website:

- a list of the school service contract providers that it contracts with and a copy of each contract; and
- to the extent practicable, a list of the school service on-demand providers that the school uses.

Privacy and security standards

The security of student education records maintained by the school is a high priority.

Security breach or other unauthorized disclosure

Staff members who disclose student education records in a manner inconsistent with applicable law and Board policy may be subject to disciplinary action, up to and including termination from employment. Any discipline imposed shall be in accordance with applicable law and Board and school policy.

Employee concerns about a possible security breach shall be reported immediately to the Director of Finance and Operations. If the Director of Finance and Operations is the person alleged to be responsible for the security breach, the staff member shall report the concern to the Executive Director.

When the school determines that a school service contract provider has committed a material breach of its contract with the school, and that such material breach involves the misuse or unauthorized release of student PII, the school shall follow this policy’s accompanying regulation in addressing the material breach.

Nothing in this policy or its accompanying regulation shall prohibit or restrict the school from terminating its contract with the school service contract provider, as deemed appropriate by the school and in accordance with the contract and the Act.

Data retention and destruction

The school shall retain and destroy student education records in accordance with applicable law and school policy.

Staff training

The school shall provide periodic in-service trainings to appropriate school staff members to inform them of their obligations under applicable law and school policy concerning the confidentiality of student education records.

Parent/guardian complaints

In accordance with this policy’s accompanying regulation, a parent/guardian of a school student may file a written complaint with the school if the parent/guardian believes the school has failed to comply with the Act.

Parent/guardian requests to amend student education records

Parent/guardian requests to amend his or her child's education records shall be in accordance with the school's procedures governing access to and amendment of student education records under FERPA, applicable state law and school policy.

Oversight and review

The Director of Finance and Operations or designee shall be responsible for ensuring compliance with this policy and its required privacy and security standards.

The Director of Finance and Operations or designee shall annually review this policy and accompanying regulation to ensure it remains current and adequate to protect the confidentiality of student education records in light of advances in data technology and dissemination. The Director of Finance and Operations shall recommend revisions to this policy and/or accompanying regulation as deemed appropriate or necessary.

Compliance with governing law and Board policy

The school shall comply with FERPA and its regulations, the Act, and other state and federal laws governing the confidentiality of student education records. The school shall be entitled to take all actions and exercise all options authorized under the law.

In the event this policy or accompanying regulation does not address a provision in applicable state or federal law, or is inconsistent with or in conflict with applicable state or federal law, the provisions of applicable state or federal law shall control.

Adopted: Aug 1, 2017

