

RESOLUTION TO APPROVE THE ALABAMA STATE BOARD OF EDUCATION DATA USE AND GOVERNANCE POLICY

WHEREAS, the Alabama State Board of Education desires to reiterate and assure parents, legislators, the general public, and any and all other interested parties that the protection of individual student data has been and is of the highest and utmost importance to this Board; and

WHEREAS, the Alabama State Board of Education Data Use and Governance Policy set forth herewith is based upon, but not limited to, maintaining compliance with the *Family Educational Rights and Privacy Act* (FERPA); and

WHEREAS, said policy is also based on the knowledge that the appropriate use of data is essential to accelerating student learning, program and financial effectiveness and efficiency, and policy development; and

WHEREAS, said policy is to ensure that all data collected, managed, stored, transmitted, used, reported, and destroyed by the department is done so in a way to preserve and protect individual and collective privacy rights and ensure confidentiality and security of collected data:

NOW, THEREFORE, BE IT RESOLVED, That the information outlined below sets forth the Alabama State Board of Education Data Use and Governance Policy.

Data Collection Process

The Alabama State Department of Education (ALSDE) does not collect individual student data directly from students or families. This function is retained at the local school and system level through our state-funded and state-owned student data management system. Local school and system student data is transmitted daily to the state's data management system from which state and federal reporting is completed. Each student is assigned a unique student identifier upon enrollment into the student management system to ensure compliance with the privacy rights of the student and his or her parents/guardians. No personally identifiable individual student data is shared in either state or federally required reporting.

Data Categories

All data elements collected and transferred to the U. S. Department of Education are based on the reporting requirements contained in ED Facts and include only aggregated data with no personally identifiable data. A listing of those reports can be accessed at <http://www2.ed.gov/about/inits/ed/edfacts/index.html>. This data is used by the USDOE for policy development, planning, and management and monitoring of individual states' federally funded programs under the *Elementary and Secondary Education Act* (ESEA).

Data Security

Data collected by the ALSDE is maintained within a secure infrastructure environment located within the department and within a remote location for backup. Access to data is

limited to pre-identified staff that are granted clearance related to their job responsibilities of federal reporting, state financial management, program assessment, and policy development. Training in data security and student privacy laws is provided to these specific individuals on a regular basis in order to maintain their data use clearance along with a signed Data Use Policy assurance of confidentiality and privacy.

External Data Requests

The ALSDE maintains a managed external data request procedure managed through a Data Governance Committee. Each external data request is measured against a pre-determined set of qualifiers that includes, but are not limited to, applicability to the goals of the Alabama State Board of Education, data availability, report format ability, cost of report development, and adherence to FERPA requirements.

Third Party Data Use Assurances

The ALSDE provides one-way data feeds to approved service providers to carryout goals of the Alabama State Board of Education. These data feeds are sub-sets of the data system limited by executed agreements or individual Memorandums of Use (MOU) that meet all state and federal privacy laws and re-disclosure assurances set by the state.

Local School and School System Data Use Compliance

All of Alabama's Local Education Agencies (LEAs) shall have a locally adopted student records governance and use policy. These policies and their implementation shall be monitored by the ALSDE as part of our Comprehensive Monitoring that requires annual assurances of compliance, on-site monitoring on a three-year cycle or more often based on deficiencies noted in annual assurances or prior comprehensive monitoring cycles, and investigations of reported non-compliance activities.

BE IT FURTHER RESOLVED, That the Alabama State Board of Education fully endorses and approves the policy set forth by this resolution and directs the Alabama State Department of Education and all Local Education Agencies to comply with said policy effective immediately upon its adoption today.

Done this 10th day of October 2013