

**Idaho Department of
Juvenile Corrections
Institutional
Policy/Procedure**

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**SUBJECT: EDUCATION RECORDS, STUDENT DATA PRIVACY AND
SECURITY**

CATEGORY: EDUCATIONAL SERVICES

Policy

The purpose of this policy is to ensure proper protection of confidential student information as set forth in the Family Educational Rights and Privacy Act (FERPA). This policy is intended to provide guidance regarding the collection, access, security, and use of education data to protect student privacy.

The efficient collection, analysis, and storage of student information is essential to improve the education of students. As the use of data has increased, and technology has advanced, the need to exercise care in the handling of confidential student information has intensified.

It is therefore the policy of the Idaho Department of Juvenile Corrections (IDJC) that a records management system comprised of the following shall be monitored and administered by the Education Program Director. Employees with access to educational records are responsible for knowing and complying with the contents of this policy before accessing educational records or giving access of educational records to others. IDJC shall follow applicable state and federal laws related to student privacy in the collection of student data.

Operating Procedures

- I. Personally Identifiable Information (PII)
 - A. Personally identifiable information includes: a student's name; the name of a student's family; the student's address; the student's social security number, a student education unique identification number or biometric record; or other indirect identifiers such as a student's date of birth, place of birth or mother's maiden name; and other information that alone or in combination is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student.
 - B. Publicly released reports shall not include PII and shall use aggregate data in such a manner that re-identification of individual students is not possible.
 - C. Access to PII maintained by IDJC shall be restricted to:

1. Authorized staff who require access to perform their assigned duties; and
 2. Authorized employees of the State Board of Education and State Department of Education who require access to perform their assigned duties; and
 3. Vendors who require access to perform their assigned duties.
- D. Contracts with outside vendors involving student data, which govern databases, online services, assessments, special education or instructional supports, shall include the following provisions which are intended to safeguard student privacy and the security of the data.
1. Requirement that the vendor agree to comply with all applicable State and Federal law;
 2. Requirement that the vendor have in place administrative security, physical security, and [logical security](#) controls to protect from a data breach or intentional or unintentional release of PII to an unauthorized person or untrusted environment;
 3. Requirement that the vendor restrict access to PII to the authorized staff of the vendor who require such access to perform their assigned duties;
 4. Prohibition against the vendor's secondary use of PII including sales, marketing, or advertising;
 5. Requirement for data destruction and an associated timeframe; and
 6. Penalties for non-compliance with the above provisions.

II. Education Records

- A. Unless prohibited by law, IDJC shall provide parents, legal guardians, or eligible students (those over 18 year of age), as applicable, the ability to review their child's educational records.
- B. The education program director, or their designee, is responsible for granting, removing, and reviewing user access to educational student data and records.
- C. IDJC will disclose information from a student's education record only with the written consent of the parent/guardian or eligible student (those over 18 year of age), with the exception that IDJC may disclose without consent when the disclosure is:

1. To education officials who have a legitimate educational interest in the educational records. An education official is a person employed by IDJC as an educational administrator, instructor, or health/medical staff.
2. To a person employed by, or under contract with, IDJC to perform a special task, such as an attorney, auditor, medical consultant, or therapist.
3. To officials of another school, upon request, in which a student seeks or intends to enroll.
4. To officials of the U.S. Department of Education, the Comptroller General, the state and local educational authorities, in connection with audit or evaluations of state or federally supported education programs.
5. To state and local officials or authorities if specifically required by state law.
6. To accrediting organizations to carry out their functions.
7. To comply with a judicial order or a lawfully issued subpoena.
8. To appropriate parties in a health or safety emergency.

Local Operating Procedures

None

Reference: [Glossary of Terms and Acronyms](#)
 [What is FERPA?](#)
 [Family Educational Rights and Privacy Act \(FERPA\)](#)
 [Management of Student Records](#)

Desk Manual(s): *None*

Related Policies: [Management of Educational Records \(505\)](#)

Related Forms: [Request and Authorization to Release Juvenile Records \(DJC-083\)](#)