Student Data Collection and Privacy Policy

Policy Number: 7302

I. Purpose

Summit Academy collects necessary student data to conduct the regular activities of the school. The school(s) may also collect student data with written consent from the student's parent or from a student who has turned 18 years of age.

II. Definitions

A. Chief Privacy Officer: the individual designated by Summit Academy to perform the duties required to protect student data privacy at the LEA

B. Private Record: a record containing data on individuals that is private as proved by Section 63G-2-302

C. Public Record: a record that is not private, controlled, or protected and this is not exempt from disclosure

D. Records: a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics. The record is prepared, owned, received, or retained by the LEA.

III. Personnel Responsibility for Data Management

Summit Academy will designate and report a Chief Privacy Officer who will initiate and monitor the following requirements found in HB 444, 63A-19-401, and additional data privacy requirements. This individual will:

- Initiate a data privacy program before December 31, 2025,
- Create privacy annotations,
- Maintain, classify, and preserve records in compliance with 63G-2 and 63G-19,
- Use an authorized top-level domain for the school's website address and email address in accordance with 63A-16-110,
- Create or update website privacy notices in accordance with 63A-19-402,
- Update policies and procedures regarding data breech response and privacy notices in accordance with 63A-19-405 to 406,
- Address non-compliant data practices,
- Annually submit a privacy program report to the Office of Data Privacy in accordance with 62A-19-401, and
- Upon request, coordinate with the state privacy auditor to ensure compliance and address any deficiencies in data protection practices.

IV. Summit Academy Data Procedures

A. Necessary Student Data

- Student Name, Date of birth, and Sex
- Parent and student contact information and Custodial parent information

- A student identification number (including the student's school ID number and the state-assigned student identifier, or SSID)
- Local, state, and national assessment results or an exception from taking a local, state, or national assessment (click here for more information on assessments)
- Courses taken and completed, credits earned, and other transcript information
- Course grades and grade point average
- Grade level and expected graduation date or graduation cohort
- Degree, diploma, credential attainment, and other school information
- Attendance and mobility
- Drop-out data
- Immunization record or an exception from an immunization record
- Race, Ethnicity, or Tribal affiliation
- Remediation efforts
- An exception from a vision screening required under **Utah Code Section 53G-9-404** or information collected from a vision screening described in **Utah Code Section 53G-9-404**
- Information related to the Utah Registry of Autism and Development Disabilities (URADD), described in **Utah Code Section 26-7-4**
- Student injury information
- A disciplinary record created and maintained as described in **Utah Code Section 53E-9-306**
- Juvenile delinquency records
- English language learner status
- Child find and special education evaluation data related to initiation of an IEP

B. Optional Student Data

Certain sensitive information on students collected via a psychological or psychiatric examination, test, or treatment, or any survey, analysis, or evaluation will only be collected with parental consent. The parents/guardians will receive a separate consent form in these cases. See Summit Academy's Protection of Pupil Rights Act (PPRA) notice for more information.

i. Information related to an IEP or needed to provide special needs services
ii. Biometric information used to identify the student
iii. Information required for a student to participate in an optional federal or state program (e.g., information related to applying for free or reduced lunch)

C. Prohibited Collections

Summit Academy will not collect a student's social security number or criminal record, except as required by **Utah Code Section (80-6-103).**

D. Data Sharing

Summit Academy will only share student data in accordance with the Family Educational Rights and Privacy Act (FERPA), which generally requires written parental consent before sharing student data. FERPA includes several exceptions to this rule, where Summit Academy may share student data without parental consent. For more information on third parties receiving student information from us, see Summit Academy's Metadata Dictionary.

Student data will be shared with the Utah State Board of Education via the Utah Transcript and Records Exchange (UTREx). For more information about UTREx and how it is used, please visit the Utah State Board of Education's Information Technology website.

E. Benefits, Risks, and Parent Choices

The collection, use, and sharing of student data has both benefits and risks. Parents and students should learn about these benefits and risks and make choices regarding student data accordingly. Parents are given the following choices regarding student data:

i. Choice to **request to review** education records of their children and request an explanation or interpretation of the records (see Summit Academy's annual FERPA notice for more information)

ii. Choice to **contest the accuracy** of certain records (see Summit Academy's annual FERPA notice for more information), potentially leading to the correction, expungement, or deletion of the record

iii. Choice to **opt into certain data collections** (see the section above on optional data collections)

iv. Choice to **opt out of certain data exchanges**

- Information that has been classified as directory information (see Summit Academy's directory information notice for more information)
- Parents of students with an IEP may have their information shared with the Utah Registry of Autism and Developmental Disabilities (URADD). If included in this data exchange, parents will receive a separate notice within 30 days of the exchange, informing them of their right to opt out, per **Utah Code Section 53E-9-308(6)(b).**

v. Choice to **file a complaint** if parents/guardians believe the school or its agents are violating their rights under FERPA or Utah's Student Data Protection Act. If parents/guardians have a complaint or concern, Summit Academy recommends contacting Summit Academy's Data Security Officer at 801-572-9007 and then escalating to the state and US Department of Education if needed.

F. Storage and Security

In accordance with **Board Rule R277-487-3(14)**, Summit Academy has adopted a cybersecurity framework called the CIS Controls.

V. References

Utah Code Section 53G-9-404
Utah Code Section 26-7-4
Utah Code Section 53E-9-306
Utah Code Section (80-6-103)
Utah Code Section 53E-9-308(6)(b)
Utah Admin Code R277-487-3(14)
Utah Code 63A-19-401 – Government Data Privacy Act – Duties of governmental entities

VI. Attachments

Summit Academy Data Privacy Program

VII. Revision History and Approval Date

Version 1: January 16, 2020: Original date of approval
Version 2: October 27, 2022: Reviewed and no changes made.
Version 3: March 27, 2025: State Code Change to Prohibited Collections.
Version 4: March 19, 2026: Updates to Formatting, Utah Code, Section III. Personnel Responsibility for Data Management, Links to Utah Code, and Section II. Definitions.