

ADOPT A NEW STUDENT ONLINE PERSONAL PROTECTION ACT (SOPPA) POLICY

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

That the Board of Education ("Board") adopt a new Student Online Personal Protection Act (SOPPA) Policy effective July 1, 2021. The policy was posted online for public comment from October 2, 2020 to November 2, 2020.

PURPOSE: The state SOPPA law requires school districts to adopt a policy regarding the use of education technology products or applications. SOPPA is intended to ensure that student data will be protected when

it is collected by educational technology companies and that the data may be used for beneficial purposes such as providing learning and innovative educational technologies. SOPPA requires that school districts

purchases, political affiliations, religious information, text messages, documents, student identifiers, search activity, photos, voice recordings, or geolocation information.

- d. **Department/School Management** refers to the supervisor, manager, director, officer, principal, Network Chief, or other employees of the Board designated by their department or office or school to implement policy compliance requirements.
- e. **Educational Technology** means educational software, electronic or online tools used by schools to improve student engagement, knowledge retention, individual learning or collaboration.
- f. **Pre-K through 12 school purposes** refers to purposes that are directed by or that customarily take place at the direction of a school, teacher, or school district; aid in the administration of school activities, including, but not limited to, instruction in the classroom

or at home, administrative activities, and collaboration between students, school personnel, or parents; or are otherwise for the use and benefit of the school.

Operator refers to the operator of an Internet website, online service, online application

or mobile application with actual knowledge that the site, service, or application is used primarily for pre-K through 12 school purposes and was designed and marketed for pre-K through 12 school purposes.

2. Publicly disclose material information about its collection, use, and disclosure of covered information with a privacy policy.
3. Limitations on a student's covered information.

a) A student's covered information shall be collected only for pre-K through

12 school purposes and not further processed in a manner that is incompatible with those purposes.

b) A student's covered information shall only be adequate, relevant, and

limited to what is necessary in relation to the pre-K through 12 school purposes for which it is processed.

4. Notify the school of any breach of the students' covered information no later than 30 calendar days after the determination that a breach has occurred.
- b. Operators are prohibited from:
1. Engaging in targeted activities.
 2. Using information including persistent unique identifiers, created or gathered by the operator's site, service, or application to create a profile about a student

b. The Chief Educational Officer, Chief Procurement Officer, General Counsel, or their

~~respective designees are the only school employees who may enter into a written~~

~~agreement with operators. Any agreement or contract entered into by employees other~~

- b. All written agreements with operators involving SOPPA must be posted on the school district's website before the software can be used in the district.
- c. A list of the operators that the school has written agreements with, including the copy of the agreement, the business address of each operator, whether the operator uses any

LEGAL REFERENCES: Student Online Personal Protection Act, 105 ILCS 85/1.

Approved for Consideration:

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