

SOUTHWEST WEST CENTRAL SERVICE COOPERATIVE



Education & Administrative Resources

MN Student Data Privacy Law Briefing

Summer 2022

SWWC Technology Solutions

MN Student Data Privacy Law

- Amends the MN Government Data Practices Act (13.32.1 – Education Data)
- Adds requirements for “Technology Providers”
 - All education data must be covered by a contract that includes safeguards for educational data
 - All data must be destroyed within 90 days of contract expiration or termination
 - Makes it illegal for educational data to be sold, shared or disseminated for any purposes that are not specified in the contract.

School District Responsibilities

- Direct notification by Education Agency to parents and students within 30 days of the start of the school year for all:
 - Curriculum technology provider contracts
 - Testing technology provider contracts
 - Assessment technology provider contracts
- Dissemination of the following must be included:
 - The educational data that is affected or accessible by the provider
 - Details regarding the Education Agency's contract inspection process
 - Contact information for a school department to which a parent or student may direct questions
- Parent and student contract inspection requests

School District Responsibilities

- 72 hour Student or Parent Notifications
 - “the activity is necessary to respond to and imminent threat to life or safety and the access is limited to that purpose”
 - 72-hour notification requirement to Student OR Parents
 - A written description of the interaction, including the features of the device that were accessed
 - A written description of the threat that was responded that resulted in the monitoring and device access
 - The notification itself must not pose an imminent threat to life of safety
 - Must be provided within 72 hours of the imminent threat ceasing to exist

Parent and Student Notification

- School Responsibility: Notify Parents and Students of all Technology Provider Contracts for:
 - Providers of hardware and support of one-to-one program or otherwise, to provide school-issued devices for student use
 - Provider who creates, receives or maintains educational data pursuant or incidental to a contract with a school.
- Listing must include
 - The names of all curriculum, testing or assessment technology providers with access to educational data
 - The educational data that is affected by the technology provider
- Suggest making the “listing” a living resource with appropriate versioning

Next Steps

- Update your current Internet Acceptable Use and Safety Policy (MSBA Model 524)
 - Content was updated the week of July 11, 2022
- Update your student handbooks with language provided in the MSBA model released on July 18, 2022
- Implementation of a “technology provider” repository
 - SWWC Technology Leaders and other Administrators recommendation

Questions