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## Board of Education

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### ACTION

**TITLE:** Consider Approval of Student Handbook Changes for 2024-2025: Service Providers and Personally Identifiable Information (PII)

**DATE:** July 22, 2024

**RESPONSIBLE ADMINISTRATOR:** Dr. Michael Farrell  
Executive Director of Student Services

### BACKGROUND/CONSIDERATIONS:

Act 754 of the 94<sup>th</sup> General Assembly, Regular Session 2023 became effective June 1, 2024. The aim of the act was to create the student data vendor security act, and for other purposes.

The act has three significant components:

- a. Parents may request from the district (via Student Services Department) a list of all the district-contracted service providers.
- b. Personal information may be provided to contracted service providers for the purpose of identifying for students institutions of higher education or scholarship providers that are seeking students who meet specific criteria, regardless of whether the identified institutions of higher education or scholarship providers provide consideration to the district service contract provider.
- c. Personal information may also be provided to contracted service providers for the purpose of providing students access to employment opportunities, educational scholarships or financial aid, or postsecondary education opportunities, regardless of whether the school service contract provider receives consideration from one or more third parties in exchange for the student personally identifiable information.

The third component (Part c) of the law states this service can only be provided with the express written consent of the student or the student's parents given in response to clear and conspicuous notice.

[Board Red Line Service Providers and Personally Identifiable Information \(PII\)](#)  
[Board Clean Line Service Providers and Personally Identifiable Information \(PII\)](#)  
[Consent and Agreement Form 2024-2025](#)

To address this stipulation of the law the district will...

- include three components of Act 754 in the 2024 FSPS district handbook in a new section entitled Service Providers and Personally Identifiable Information (PII),
- embolden provision two and three of the ACT 754,

- include the three components of Act 754 on the annual Consent and Agreement Form (along with Handbook Agreement, Technology Agreement, Media Consent, etc.),
- include a specific “opt in” provision on the Consent and Agreement form which reads
  - **I consent to my student’s information being provided to district-contracted service providers for the purposes of identifying educational institutions or scholarship providers for my student and to provide access to job opportunities, scholarships, financial aid, or postsecondary education options, regardless of benefits to our service provider or third parties.**

Yes

No

Mr. Marshall has reviewed this recommendation for changes to the 2024-2025 Fort Smith District Student Handbook. The changes are submitted in both redline and clean copy for Board review.

**RECOMMENDATION:**

The administration recommends the attached handbook changes be approved as presented for inclusion in the 2024-2025 District Handbook.

If the Board agrees, the motion would read:**Move to approve the attached handbook changes as presented for inclusion in the 2024-2025 Fort Smith Public School District Student Handbook.**