

**UTAH STATE BOARD OF EDUCATION**

**RESOLUTION NO. 2013-03**

**A RESOLUTION ESTABLISHING THE OFFICIAL POSITION OF THE UTAH STATE BOARD OF EDUCATION REGARDING THE SECURITY AND SHARING OF CONFIDENTIAL STUDENT AND TEACHER DATA IN THE STATE OF UTAH.**

WHEREAS, the Utah State Board of Education has the constitutional obligation of general control and supervision of public education in the state of Utah, and

WHEREAS, the Utah State Board of Education is required by law to oversee the licensing of teachers in K-12 public education, and

WHEREAS, the enrollment of students and the licensure of teachers in public schools both require the acquisition and maintenance of sensitive, personal information, and

WHEREAS, the Federal Education Rights and Privacy Act (FERPA) prohibits the inappropriate sharing or disclosure of private student data; and

WHEREAS, the Utah State Board of Education board rules and Utah State Office of Education policies currently protect the security of individual student data and do not allow for the release of identifiable student data; and

WHEREAS, recent changes to federal administrative rules and Utah laws have caused confusion and significant concern among Utah citizens about the security and propriety of sharing student and teacher data; and

WHEREAS new technologies are being developed with the goal of enhancing teaching through educational data mining and learning analytics, and the use of these technologies is being discussed by members of the Utah State Legislature; and

WHEREAS, the Utah State Board of Education has significant concerns regarding the requirements of the law regarding student and teacher data, including new Utah laws that may compromise this data; and

WHEREAS, the Utah State Board of Education strongly supports public policies requiring extreme caution and a high level of security with student and teacher data,

NOW, THEREFORE, BE IT RESOLVED that the Utah State Board of Education requests the support of the citizens of Utah to insist on proper care and vigilance in the effort to secure and protect the sensitive personal data of students and teachers in Utah's K-12 public education system, especially in seeking the the resources and legislation necessary to strongly secure and protect the aforementioned data; and

RESOLVED, that the Utah State Board of Education calls upon the members of the Utah legislature to pass and/or revise such laws as are necessary to strongly secure and protect the sensitive personal data of students and teachers and to work jointly with the Utah State Board of Education to appropriately define the delicate balance of that privacy with the proper transparency and availability of aggregated and non-identifiable data necessary to provide accountability and oversight of Utah's K-12 public education system.

PASSED and APPROVED this \_\_\_\_\_ day of May, 2013

Utah State Board of Education

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Debra Roberts, Chair

ATTEST:

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Lorraine Austin  
Board Secretary