



Area Career Center

What is SOPPA?

The Student Online Personal Protection Act, or SOPPA, ([105 ILCS 85/1, et seq.](#)) is the data privacy law that regulates student data collection and use by schools, including Wilco Area Career Center (referred throughout as “Wilco” or the “Center”), the Illinois State Board of Education and educational technology vendors.

What is SOPPA video link (<https://youtu.be/fpp6amnsSmo>)

On August 23, 2019, Illinois Governor J.B. Pritzker signed into law a new version of SOPPA that gives parents/guardians greater transparency and control over student data. Among the changes is a new requirement to enact breach notifications that are available to the impacted student/parent/guardian and public.

SOPPA will also require Illinois schools to provide additional guarantees that student data is protected when collected and that data is used for beneficial purposes only. The law is effective on July 1, 2021.

Definitions:

School: Any preschool, public kindergarten, elementary or secondary educational institution, vocational school, special educational facility, or any other elementary or secondary educational agency or institution or (2) any person, agency, or institution that maintains school student records form more than one school. “School” includes a private or nonpublic school.

Operator: An entity (such as educational technology vendors) that operate internet websites, online services, online applications or mobile applications with actual knowledge that the site, service or application is used primarily for k-12 school purposes and was designed and marketed for k-12 purposes.

K-12 School Purposes: 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 benefit of the school.

Covered Information: Personally Identifiable Information or material or information that is linked to personally identifiable information or material in any media or format that is not publicly available and is any of the following:

1. Created by or provided to an operator by a student or student’s parent/guardian in the course of the student’s or parent/guardian’s use of the operator’s site, service or application;
2. Created by or provided to an operator by an employee or agent of the district; or
3. Gathered by an operator through the operation of its site, service, or application.

Breach: The unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of covered information maintained by the Operator or the School. Breach does not include the good faith acquisition of personal information by an employee or agent of an operator or school for a legitimate purpose of the operator or school if the covered information is not used for a purpose prohibited by this Act or subject to further unauthorized disclosure.

SOPPA requires that school districts must:

- Enter into written agreements containing SOPPA compliant language with all Operators who collect Covered Information.
- Implement and maintain reasonable security practices that meet or exceed industry standards. Student data is protected through comprehensive privacy policies and security measures such as firewalls, secure servers, intrusion detection software, and other methods. Written agreements with



Area Career Center

Operators require that the Operator also maintains security procedures that meet or exceed industry standards.

- Post on the school district's website copies of all written agreements between the school district and Operators and information about the Covered Information that is collected by the Operator, and how the Covered Information is being used. Agreements between the school district and Operator will be posted on the school district's website within 10 business days of execution.
- Establish a SOPPA policy that designates what school personnel will be authorized to enter into written agreements with Operators. Information on Wilco policies can be found in the Wilco student handbook.
- Allow a parent/guardian to request: (1) copies of a student's Covered Information, (2) inaccuracies of student Covered Information be corrected, and (3) delete student's Covered Information. Provide notices to parents/guardians when there is a breach of Covered Information as required by law.

Wilco adheres to the following applicable laws regarding student data and privacy:

Children's Internet Protection Act (CIPA)

Children's Online Privacy Protection Act (COPPA)

Family Educational Rights and Privacy Act (FERPA)

Illinois School Student Records Act (ISSRA)

Student Online Personal Protection Act (SOPPA)

Wilco Data Privacy Officer

Pursuant to SOPPA, each school district may designate an appropriate staff member as a privacy officer. Wilco designates the Assistant Director to serve as Privacy Officer, who shall ensure that Wilco complies with the duties and responsibilities required of it under the Student Online Personal Protection Act. The Privacy Officer can be reached at bgoodale@wilco.k12.il.us.

Wilco-approved Web-based Tools/Applications and Written Agreements

Wilco values every student's privacy and strives to ensure that parents/guardians are aware of what web-based tools and applications are being used for educational purposes. A list of Wilco approved web-based tools, written agreements with operators, and a list of data elements that will be shared can be found https://sdpc.a4l.org/district_listing.php?districtID=10487.

Data Breaches

Pursuant to SOPPA, Wilco is required to provide notice when a data breach of student's covered information occurs. After the receipt of notice of a breach, Wilco will notify the parent/guardian of a student whose covered information is involved in the breach. Such notice will be provided no later than 30 days of the Wilco's receipt of the notice of the breach or within 60 calendar days if a third party is responsible for the data breach. A notice of a breach may be delayed if an appropriate law enforcement agency determines that the notification will interfere with a criminal investigation and Wilco is provided a written request to delay the notice. In such a situation, Wilco will comply with the notification requirements as soon as the notification will no longer interfere with the investigation.

Wilco will post and maintain on its website a public beach list of any breaches of covered information maintained by Wilco or an Operator involving 10% or more of the Wilco's student enrollment. This list will include:

- The number of students whose covered information was involved in the breach, unless the breach is related to "personal information" as defined by the Personal Information Protection Act.
- The date, estimated date, or estimated date range of the breach.



Area Career Center

- The name of the Operator, if applicable.

This public breach list will be updated by January 31st and July 31st of each year and will be posted for five years. Breaches that occurred prior to July 1, 2021 will not be included in this list.

Wilco Services and Applications

Wilco employs several different pieces of software and websites to help students gain the best education possible. Current services that Wilco uses throughout the school year can be found at this [link](#). Contract information on each service is also provided.

Wilco is also a member of ISPA (Illinois Student Privacy Alliance).

The [Illinois Student Privacy Alliance](#) (ISPA) is a free consortium that allows school districts to access management tools and resources for data privacy agreements. When used in conjunction with clear policies and procedures, ISPA allows districts to comply with Illinois' new Student Online Personal Protection Act (SOPPA).

Below is a list of Personally Identifiable Information (PII) that Wilco may collect in regards to teaching services utilized by Wilco. (Not all items listed may be collected or used by Wilco.)

Name
Email (School Email account)
Address/Location
Phone Number
Socioeconomic Status
Grades/Test Results
Medical Records

Parent/Guardians Rights

Parents/guardians have the right to inspect, review, and correct information maintained by the school, operator, and the Illinois State Board of Education. All requests should be directed to the Principal by using the following email address: bgoodale@wilco.k12.il.us

Request for Student's Covered Information

A parent/guardian may request an electronic copy of the student's covered information. Wilco must provide an electronic copy of the student's covered information, unless the school does not maintain the information in an electronic format and the reproduction of information in such a format would be unduly burdensome to Wilco.

In accordance with any applicable federal regulations, Wilco must provide a student's parent/guardian a paper or electronic copy of the student's covered information, including any covered information maintained by an operator or ISBE, with 45 days of receiving a request for such information, as provided under subsection (b).

Each parent/guardian request must be submitted on a signed and dated request form that includes the parent/guardian's name, address, phone number, student's name and the name of the school from which the request is being made. When Wilco receives a request under this Section it must require a parent to provide proof of identity and relationship to the student before access to the covered information is granted.



Area Career Center

If covered information requested by a parent/guardian under this Section includes data on more than one student, the parent/guardian may inspect and review only the covered information relevant to the parent/guardian's student.

A parent/guardian may make no more than one request under this Section per State fiscal quarter.

Cost for Copies

Wilco will not charge a parent/guardian for an electronic copy of a student's covered information.

If a parent/guardian requests a paper copy of a student's covered information, Wilco may charge the parent/guardian the actual cost for providing a copy of such information, provided that the cost charged shall not exceed \$0.35 per page. No parent/guardian shall be denied a requested paper copy of covered information due to the parent/guardian's inability to bear the cost of the copying.

Removal/Correction of Covered Information

Parents or Guardians who would like to request that some or all of student data is removed can initiate the process by emailing bgoodale@wilco.k12.il.us

Parents/Guardians may request a correction of factual inaccuracies contained in the student's Covered Information. Upon receipt of the request, Wilco will review and determine whether the factual inaccuracy exists. If there is a factual inaccuracy, Wilco will do either of the following:

- Within 90 calendar days after receipt of the request, if Wilco maintains or possesses the Covered Information containing the factual inaccuracy Wilco will correct the inaccuracy and confirm the correction with the parent/guardian.
- If the Operator or ISBE maintains or possesses the Covered Information that contains the factual inaccuracy, Wilco will notify the Operator or ISBE of the need for the correction. The Operator or ISBE will correct the factual inaccuracy and confirm the correction with Wilco within 90 calendar days after receiving the notice. Within 10 business days after receiving confirmation of the correction from the Operator or ISBE, Wilco will confirm the correction with the parent/guardian.