

1 September 2024

Dear Parents and Guardians,

The growing availability of web-based tools and applications is providing teachers with new and exciting methods to improve, enrich, and diversify the delivery of curriculum and instruction to students. Many web-based tools and applications use data to create access accounts and to customize the learning experience. The purpose of this letter is to explain what data will be provided to online educational service providers and parent/guardian rights in regard to the use of the online educational services.

Student data privacy continues to be a top priority when procuring and implementing online educational resources. Any time the District retains a third party vendor, or purchases technology or other products or resources that will have access to student information, the District conducts a thorough review to ensure its use of such vendors, technologies, or other products or resources are compliant with the Family Educational Rights and Privacy Act (FERPA), the Children's Online Privacy Protection Act (COPPA) and other federal and state laws requiring the confidentiality of confidential student information.

Lower Merion School District makes every effort to select and implement products that protect the confidentiality of students' personally identifiable information and that avoid third party promotional marketing material. At the following link, you will find a list of online educational service providers used by the Lower Merion School District and their contact information, including the providers' website addresses and a link to their privacy policies: <https://www.lmsd.org/oes>.

As you will see the District typically places resources in one of three categories:

1. Resources that the District acquires to perform functions that the District staff would otherwise perform, for which the vendor has signed the District's privacy addendum;
2. Resources to which the District is permitted to give students access or for which the District can provision student accounts, provided that the District provides parents and guardians with notice of the resources, as well as each resource's privacy policy and terms of service; and
3. Resources for which the law or the vendor requires affirmative consent of a parent or guardian before students are provided access.

We strive to be as transparent as possible regarding the District's use of online educational resources. The list below provides key points regarding the use of online educational service providers by the District:

- For some selected web-based tools and applications, it may be necessary for the District to provide student data.
- District policy requires that any disclosure of student data to online educational service providers comply with COPPA and FERPA. For more information regarding online educational services, please browse <https://www.lmsd.org/oes>.
- Online educational service providers may collect additional data using cookies, logs, and other Internet-based technologies. Service providers communicate important information about their collection, protection, use and disclosure of data through their own privacy policies.

- In some cases, providers may use certain data for their own internal marketing purposes. On occasion, providers will state that they provide data to third parties under certain circumstances such as to improve the performance of its website.
- Parents/guardians can request to review and have removed personal information that an online educational service provider has collected from the student. If a parent/guardian wishes to review or have removed the data provided to a provider by the District, a written request should be sent to the student's principal. In some instances, depending upon the nature of the request, the parent/guardian may be required to contact the provider directly.
- Some providers require affirmative parental consent before access can be permitted, such as Google for websites like YouTube. When affirmative consent is required, parents and guardians will be asked to submit a verification form in order for their student to be granted access to the identified online educational service.
- More information about COPPA can be found at <https://www.ftc.gov/tips-advice/business-center/guidance/complying-coppa-frequently-asked-questions>.
- More information about FERPA can be found at <https://studentprivacy.ed.gov/resources/parent-guide-family-educational-rights-and-privacy-act-ferpa-0>.

If you have questions about the instructional use of online educational resources, please contact Dr. Jennifer Gaudio, Director of Elementary Education, at GaudioJ@lmsd.org. If you have questions pertaining to Lower Merion School District policy, please contact George Frazier, Director of Information Technology and Cybersecurity, at frazier@lmsd.org.

Jen Gaudio, Ed.D

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