



Privacy Policy

WDE PRI-4001-POL

Purpose

The Wyoming Department of Education (WDE) is committed to protecting the privacy and security of personally identifiable information (PII) collected from students, parents, educators, and the public. This Privacy Policy outlines how the WDE collects, uses, protects, and discloses information in accordance with applicable federal and state laws, including the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment (PPRA), and relevant Wyoming statutes.

Applicability

This policy applies to all WDE full-time or part-time employees, trainees, volunteers, contractors, temporary workers, and any individual granted access to WDE resources, and to all information collected by or on behalf of the WDE, whether through our websites, online services, applications, or other means.

Definitions

All definitions pertinent to this policy are located in the [Wyoming OCIO Policy Dictionary](#) or the WDE Policy Dictionary.

Roles and Responsibilities

All Employees / Personnel

Responsibilities: Understand and comply with the Privacy Policy, complete privacy training, protect data, and report suspected incidents.

Data Owners

Responsibilities: Defines the value, sensitivity, and usage requirements of the data they own or create, and is accountable for ensuring the data they manage is handled in compliance with policy. Understands and applies the Privacy Policy to their data, ensures data accuracy, and reports incidents.

Human Resources (HR) Department

Responsibilities: Incorporates privacy into employee onboarding, handles employee data securely, and addresses policy violations.

Wyoming Office of the Chief Information Officer (OCIO)/Department of Enterprise Technology Services (ETS)

Responsibilities: Provides legal oversight and ensures regulatory adherence. Reviews and approves State IT policies and technologies purchases, provides infrastructure and security.

Information Management Division Director

Responsibilities: Oversees the overall privacy program and the data collection systems, and negotiates data agreements with third parties. Chairs the WDE Data Governance Committee.

IT Supervisor

Responsibilities: Oversees the technology infrastructure responsible for processing personal data, leads policy development, and assists with breach investigations.

Information Security Officer

Responsibilities: Implements technical security controls, monitors compliance, leads breach responses, and conducts privacy training.

General Statement

The WDE recognizes the importance of privacy, particularly regarding student education records, and strives to uphold the highest standards of privacy protection in all its operations and interactions. This commitment is to protect privacy rights. The WDE has established this Privacy Policy to safeguard the confidentiality, integrity, and availability of all its information assets and to protect the privacy of its personnel, students, and residents of the State of Wyoming, in accordance with applicable legal and regulatory requirements.

Collected Information

The WDE collects various types of information necessary to fulfill its statutory responsibilities for overseeing and supporting K-12 education in Wyoming. The specific information collected depends on the context and use of the collected data.

A. Personally Identifiable Information (PII)

This includes information that can be used to identify an individual.

- **Student PII:** May include, but is not limited to:
 - Directory Information
 - Demographic Information
 - Student ID numbers (local, state, federal)
 - Academic records (grades, attendance, test scores, coursework)
 - Special education records (IEPs)
 - Health information (as contained within education records)
 - Meal program eligibility
 - Enrollment and withdrawal information

- **Parent/Guardian PII:** May include, but is not limited to:
 - Name, address, phone number, email address
 - Relationship to student
- **Educator/Staff PII:** May include, but is not limited to:
 - Name, contact information
 - Certification details, professional development records
 - Employment, Education, and job duty history
- **Public PII:** May include, but is not limited to:
 - Name, email address, and other contact information collected when registering for WDE events, subscribing to newsletters, or submitting inquiries.

B. Non-Personally Identifiable Information (Non-PII)

This includes information that cannot be used to identify an individual.

- Aggregated and de-identified data (e.g., summary statistics on statewide test scores, website traffic data)
- Technical information (e.g., browser type, operating system, IP address, referring URLs, access times) for website analytics and security.

Information Classification

Information collected will be classified in accordance with State IT Policies as:

- Public or Low Sensitivity
- Internal or Moderate Sensitivity
- Confidential or High Sensitivity

Information Collection Methods

Information is collected through various channels:

- **From Local Education Agencies (LEAs)/School Districts:** The primary source of student and educator PII, submitted through secure data collection systems (as listed in the [WDE Data Collection Suite](#)) or via automated collections (e.g., the Wyoming Interoperable Data Systems), or by other methods as required by state and federal reporting mandates.
- **Directly from Individuals:** Through forms, surveys, registrations for WDE events, applications for certification, email inquiries, or website interactions. Automated Means: Via website analytics tools (e.g., cookies, web beacons) to collect non-PII information about website usage.
- **Other State Agencies:** In limited circumstances and under strict legal authority, the WDE may receive information from other Wyoming state agencies.

Use of Information

The WDE uses the collected information for legitimate educational and governmental purposes, including but not limited to:

- **Fulfilling Legal Mandates:** Meeting state and federal reporting requirements (e.g., accountability under ESSA, IDEA reporting).
- **Supporting K-12 Education:**
 - Developing, implementing, and evaluating educational programs.
 - Administering statewide assessments.
 - Distributing state and federal education funding.
 - Supporting educator certification and professional development.
 - Providing technical assistance and resources to LEAs.
 - Analyzing educational trends and outcomes (often using aggregated, de-identified data).
- **Operational Purposes:**
 - Responding to inquiries and providing requested services.
 - Improving WDE websites, services, and operations.
 - Maintain the security and integrity of WDE systems.
- **Research and Evaluation:** Conducting or supporting research and evaluation studies to improve instruction and student outcomes, primarily using de-identified or aggregated data. When PII is used for research under FERPA's "studies" exception, strict safeguards are in place, requiring robust Data Sharing Agreements.

Disclosure of Information

The WDE treats PII with utmost confidentiality and only discloses it in accordance with FERPA and other applicable laws.

A. Disclosures Permitted by FERPA (without consent)

The WDE may disclose PII from education records under specific exceptions defined by FERPA, including but not limited to:

- **School Officials:** To WDE employees and contractors deemed "school officials" who have a "legitimate educational interest" in the information.
- **Other School Officials:** To officials of another school or school system where a student seeks or intends to enroll.
- **Audit or Evaluation:** To authorized representatives of federal, state, or local educational authorities for audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal legal requirements related to these programs.
- **Directory Information:** The WDE may designate specific categories of student information as "directory information" in accordance with FERPA and WDE policy, which may be disclosed without prior parental consent, provided parents have been given annual notice and an opportunity to opt out of such disclosure.
- **Judicial Order/Subpoena:** In compliance with a lawfully issued judicial order or subpoena, after providing reasonable notice to the parent/eligible student if legally permissible.
- **Health and Safety Emergencies:** To appropriate parties in connection with an emergency, if knowledge

of the information is necessary to protect the health or safety of the student or other individuals.

- **Studies:** To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction, provided the studies are conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization, and the information is destroyed when no longer needed for the study. Such disclosures require a robust Data Sharing Agreement.
- **Parents of Eligible Students:** To parents of eligible students (over 18 or in post-secondary education) who are claimed as dependents for income tax purposes, at the discretion of the WDE and in accordance with FERPA and WDE policy.

B. Disclosures Requiring Consent

The WDE shares data strictly in accordance with the Family Educational Rights and Privacy Act (FERPA) regulations.

C. Disclosure to Third-Party Vendors (Data Processors)

When the WDE engages third-party vendors (e.g., for online assessment platforms, data analytics services) that access or process student PII on our behalf, we may enter into legally binding Data Processing Agreements or Data Privacy Agreements. These agreements strictly limit the vendor's use of student data, prohibit re-disclosure or sale, require robust security measures, set requirements for data destruction after the contract ends, and ensure compliance with FERPA and other applicable laws.

Data Security

Along with ETS, the WDE implements reasonable administrative, technical, and physical safeguards to protect the PII collected and maintained from unauthorized access, use, disclosure, alteration, or destruction. These measures include:

- Access controls (e.g., least privilege access, role-based access)
- Encryption of data-in-transit and data-at-rest, where appropriate
- Regular security audits and vulnerability assessments
- Employee training on data privacy and security
- Secure data transmission protocols
- Incident response plans for data breaches

Data Retention and Disposal

The WDE retains PII only for as long as necessary to fulfill the purposes for which it was collected, to meet legal and regulatory obligations, or as required by state record retention schedules. When PII is no longer needed, it is securely disposed of using methods appropriate for the type of data (e.g., shredding for paper records, secure deletion or overwriting for digital records) and in compliance with the state's IT policies.

Rights Regarding Education Records (Parents and Eligible Students)

Under FERPA, parents and eligible students have the right to:

- **Inspect and Review:** Inspect and review the student's education records.
- **Request Amendment:** Request that the WDE amend education records that they believe are inaccurate, misleading, or violate the student's privacy.
- **Consent to Disclosure:** Consent to disclosures of PII from education records, except to the extent that FERPA authorizes disclosure without consent.
- **File a Complaint:** File a complaint with the U.S. Department of Education's Student Privacy Policy Office (SPPO) concerning alleged failures by the WDE to comply with FERPA.

Links to Third-Party Websites

WDE websites may contain links to third-party websites for user convenience. The WDE is not responsible for the privacy practices or content of these external sites. Users are encouraged to review the privacy policies of any third-party websites visited.

Changes to This Privacy Policy

The WDE reserves the right to update or modify this Privacy Policy at any time. Any changes will be posted on this page with a revised "Effective Date." Users are encouraged to review this policy periodically to stay informed about how the WDE protects information.

Monitor and Compliance

In conjunction with ETS, the WDE will conduct regular reviews of its information collection practices to ensure ongoing compliance with this policy and relevant laws and regulations.

Any significant changes to an approved information collection process must be submitted for review and approval as a new proposal.

The WDE will foster public transparency and engagement regarding its information collection practices.

New employees will be trained on this policy and procedure during the onboarding process, and all employees will receive periodic reminders to reinforce their understanding.

Exceptions or Modifications

There are no exceptions or modifications to this policy.

References

- Family Educational Rights and Privacy Act (FERPA).
- Federal and State Employment Laws (as applicable).
- Wyoming State IT Policies, including but not limited to:
 - WyIT 2011 - Wyoming State Data Collection, Transparency, and Consent Policy.
 - WyIT 2001, Information Classification.
 - WyIT 2004, Information Breach.
 - WyIT 2005, Information Residency and Transportation.
 - WyIT 2006, Agency Official for Privacy (AOP).
 - WyIT 2009, "Clean Desk" Confidential Information and Sensitive Materials Policy.
 - WyIT 3001, General Security/Acceptable Use.
 - Guidelines from the National Association of State Boards of Education (NASBE), the U.S. Department of Education, and security standards from the National Institute of Standards and Technology (NIST).

Contact Information

For questions or concerns about this policy, please contact:

- Ken Reynolds, IT Supervisor, ken.reynolds@wyo.gov
- Susan Kruse, Director, Information Management Division, susan.kruse@wyo.gov

Document History

Reason	Revision	Summary of Changes	Effective Date	Approved By	Next Review Due Date
Initial	1.0		6/13/2025	WDE DGC	6/13/027