

Diego Hills Central Public Charter School

ACCEPTABLE USE POLICY FOR THE FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) OR THE CALIFORNIA DREAM ACT APPLICATION (CADAA) COMPLETION REQUIREMENT (EDUCATION CODE SECTION 51225.7)

The Board of Directors of Diego Hills Central Public Charter School (“Charter School”) adopts the following policy in accordance with Assembly Bill 469/Education Code Section 51225.7.

Introduction and Overview

Education Code Section 51225.7, enacted in 2021, requires that each local educational agency ensure that each 12th grade pupil complete specified financial aid applications, opt-out of the requirement, or be determined exempt from the requirement. To assist in complying with Section 51225.7, certain confidential information related to pupils’ completion of those applications may be shared with Charter School. The purpose of this policy is to ensure that Charter School, its staff and contractors, comply with state laws related to the confidentiality and privacy of information shared by parents, legal guardians, and pupils under Section 51225.7, as well as confidential information that may be shared with Charter School by other government agencies, and to protect against the unauthorized disclosure of Confidential Information provided to Charter School.

Failure to ensure the confidentiality of Confidential Information provided to Charter School to ensure compliance with Section 51225.7 could result in a violation of state law and an invasion of parents’ and pupils’ rights to privacy in their financial and educational records.

In addition, this policy is adopted by the Board of Directors to ensure, in accordance with Education Code Section 51225.7(e)(1), that the Charter School directs each high school pupil and, if applicable, the pupil’s parent or legal guardian to any support and assistance services necessary to comply with the requirement to complete specified financial aid applications.

Policy

Disclosure of Confidential Information shall be limited solely to personnel having the need and authorization to access such information. Charter School’s employees, contractors, consultants and temporary employees having access to Charter School’s information assets (data and systems) or to the specific Confidential Information provided to the Charter School for purpose of Education Code Section 51225.7, shall acknowledge adherence to this policy by signing a confidentiality agreement provided by Charter School.

The Charter School shall direct each high school pupil and, if applicable, the pupil’s parent or legal guardian to any support and assistance services necessary to comply with the requirement to complete specified financial aid applications that may be available through outreach programs, including, but not limited to, those programs operated by the Student Aid Commission,

postsecondary immigration resource centers, college readiness organizations, community-based organizations, and legal resource organizations.

State Law Requirements

Charter School designates the Area Superintendent as the individual responsible for implementing this policy and ensuring compliance with its provisions.

Charter School will ensure that it handles any Confidential Information it collects for purposes of complying with Education Code Section 51225.7 in a manner consistent with the following state laws, where applicable, and with any policies and procedures Charter School has adopted in furtherance of these laws:

- 1) California Information Practices Act (California Civil Code Sections 1798, et seq.);
- 2) California's Pupil Protections Relating to Immigration and Citizenship Status provisions (Education Code Section 234.7);
- 3) California's Values Act (Government Code Sections 7284, et seq.);
- 4) California Student Online Personal Information Practice Act (Business and Professions Code Sections 22584, et seq.);
- 5) Third Party Contracts for the digital storage, maintenance, and retrieval of student records (Education Code Section 49073.1);
- 6) Pupil Records (Education Code Sections 49060, et seq. and any related regulations); and
- 7) California's Public Records Act (Government Code Sections 6250, et seq.).

In addition to the foregoing, the following conditions apply to Charter School's management of Confidential Information collected or maintained by it in furtherance of the requirements of Education Code Section 51225.7:

- Charter School will ensure that Confidential Information will be maintained on a secure data infrastructure with appropriate levels of security for the data based on the Federal Information Processing Standards Publication 199 protection levels. Confidential Information will not be copied to other computers and will not physically leave Charter School's data infrastructure. Charter School will apply security patches and upgrades and keep virus software up-to-date on all systems on which data may be used.
- If transfer of Confidential Information to a third party is necessary, Charter School will ensure such transfer is only made for purposes of furthering Charter School's obligations pursuant to Education Code Section 51225.7 and that such transfers are only made to parties covered by this Policy, or which are otherwise bound by the same requirements as this policy. In addition, any such transfer will be made in a secure manner, such as secure file transfer protocol, an encrypted cloud-based solution, or an encrypted hard drive.
- The Charter School shall not disclose of any Confidential Information in Charter School's possession pursuant to fulfilling its obligations under Education Code Section 51225.7 if the disclosure is not authorized by Family Educational Rights and Privacy Act (FERPA) or applicable state laws.

- The Charter School shall not disclose Confidential Information to third parties not covered by this Policy without the written consent of the pupil, or a parent or guardian when the pupil is a minor. Written consent shall include: (1) the signature and date of the parent, guardian, or eligible pupil providing consent; (2) a description of the records to be disclosed; (3) the reason for release of information; (4) the parties or class of parties receiving the information; and (5) if requested by the parents, guardians or eligible pupil, a copy of the records to be released. The Charter School shall permanently keep the consent notice with the pupil record file.

If a pupil, parent, or guardian chooses not to provide information that could assist Charter School in meeting its obligations pursuant to Education Code Section 51225.7, Charter School shall not use such actions as a basis to discriminate against any pupils or families or bar children from enrolling or attending school or discipline the pupil in any fashion.

Definition of Key Terms

- “FAFSA” means the Free Application for Federal Student Aid.
- “CADAA” means the California Dream Act Application.
- “FAFSA/CADAA Completion Requirement” means the requirement contained in Education Code Section 51225.7 that local educational agencies ensure that each 12th grade pupil either (1) complete a FAFSA or CADAA application; (2) opt out of the completion requirement; or (3) is otherwise exempt from the requirement.
- “Confidential Information” means any information shared by parents, legal guardians, and pupils to assist Charter School in complying with Education Section 51225.7, as well as information related to a pupil’s FAFSA or CADAA status that is provided to Charter School by the California Student Aid Commission, California Department of Education, or other entity; and any similar information created by Charter School related to its compliance with Education Code Section 51225.7.

Please visit <https://dhcentralcharter.org/privacy-policy/> for the Charter School’s privacy policy.