

**EAST STROUDSBURG AREA SCHOOL DISTRICT  
BOARD OF EDUCATION  
POLICY REVIEW COMMITTEE MEETING  
AUGUST 15, 2022  
CARL T. SECOR ADMINISTRATION CENTER & VIA ZOOM—4:30 P.M.  
MINUTES**

- I. Meeting was called to order at 4:30 p.m. by Debbie Kulick.
- II. **Policy Committee Members Present were:** George Andrews, Debbie Kulick, Wayne Rohner and Lisa VanWhy
- III. **School Personnel Present were:** Brian Borosh, Eric Forsyth, Dr. William Riker, Frederick Mill, and Debra Wisotsky.
- IV. **Members of the Public Present were:** None
- V. **APPROVAL OF AGENDA**

**RECOMMENDATION OF THE COMMITTEE:** Motion was made by George Andrews to approve this agenda for August 15, 2022 (page 1), with members of the Committee reserving the right to add to the agenda and take further action as the Committee deems appropriate. Motion was seconded by Lisa VanWhy and carried unanimously, 4-0.

VI. **APPROVAL OF MINUTES**

**RECOMMENDATION OF THE COMMITTEE:** Motion was made by Lisa Van Why to approve the minutes for July 18, 2022 (pages 1-3). Motion was seconded by George Andrews and carried unanimously 4-0.

Mr. Rohner requested the addition of Policy 830 for discussion. He asked, “What will be the interpretation on the paragraph with respect to documents, public utilities and such. I want to know what the intent is to withhold information from the public. I want to make sure that the interpretation is clear moving forward.”

VII. **POLICIES FOR DISCUSSION:**

**Policies presented by administration-**

- a. **RENUMBER** Policy 816.2 Privacy and Security of Student Electronic and Digital Information to 830.1—Ms. Kulick read the revisions to the policy. Mr. Andrews asked about the addition of the paragraph, “The steady proliferation of technologies that allow, and business models that depend on, the collection and monetization of students’ and children’s information and data through sophisticated practices raise concerns that call for strengthening students’ privacy protections.” What exactly does that mean? Dr. Riker stated it simply means, as technologies are getting better and better and more and more of them, that we have an obligation to ensure our student’s privacy is protected. It’s really that simple. Mr. Andrews agreed, it’s a lot of word and I just wanted to be sure everyone understood what we are trying to do here. Ms. Kulick continued reading the revisions. Mr. Andrews asked for clarification on the following: “They must also be diligent in protecting student information and data from the targeting practices of providers of educational technology tools, as well as other online providers that students, employees, and parents use for

their education and school-related activities.” Dr. Riker noted, educational tools are any type of technology. Companies can build in some sort of artificial intelligence that collects information. This is simply saying we have an obligation as a district to protect student information and data from those programs or companies we purchase from that may, in fact, do some of that. Mr. Andrews asked is there something that obligates us to be sure that this is not in any of those programs. Dr. Riker said it obligates us to be sure we are asking those questions to ensure that it is not there. Mr. Borosh stated before we purchase or allow software, we thoroughly vet their privacy policies. We look to see where the data is being stored and if it’s another country, that data could be data mined and used for other purposes. We are very diligent and vigilant to be sure we are looking at their privacy policies to be sure it never gets to that point. Mr. Andrews asked how we handle when a data set might be bias, as it states. Dr. Riker stated, this isn’t our bias, it is the bias of the software tool or the company that is creating that tool. The policy states, “Employees should request information about the automated decision-making of the tools when contracting with a provider and when deciding on the use of online sources. “This puts it back on Brian’s group or any group that is investigating the use or purchase of software within the district.

- b. **RENUMBER** Policy 830.1 Data Breach Notification to Policy 830.2. Ms. Kulick noted there are no other revisions at this time.

**Public Participation:** None

## VIII. ADVISORY RECOMMENDATIONS

**RECOMMENDATION OF THE COMMITTEE:** Motion was made by Lisa VanWhy to authorize and direct the administration to post the following item(s) with noted revisions for PUBLIC REVIEW during the month of August and subsequent Board action in September: Renumber Policy 816.2 to 830.1 Privacy and Security of Student Electronic and Digital Information and Renumber Data Breach Notification from 830.1 to 830.2. Motion was seconded by George Andrews and carried unanimously 4-0.

### **Policy requested by Mr. Rohner-**

- a. **DISCUSSION --** Policy 830 Information Protection Policy --

Mr. Rohner asked, “Can I have an interpretation of Policy 830 with respect to documents that I know are considered public records. So what is the intent of that paragraph that includes public utilities. That word right there tells me that it is a right-to-know document. I know contracts are a right-to-know document. Who owns the records?” Mr. Forsyth asked what paragraph he was referencing. Mrs. VanWhy shared that the Policy is on the regular agenda for approval tonight. It is in their book with the backup starting on page twenty. Mr. Rohner stated, number two, definitions under confidential information. “Examples include: Contractual agreements, intellectual property rights, safety or physical security of a building, public utility, resource, infrastructure, facility, information security system, and technology and computer security systems.” What is the intent of this new policy? For example, public utility is a right-to-know request that will get approval every day of the year. Ms. Wisotsky shared this policy is a new policy written by Dottie Bollinger, our technology legal counsel. Mr. Rohner added, this entire policy does not reference any section of school law. If I were to show you a policy, there is always a footnote to the school law section and this has zero. Mr. Forsyth stated paragraph one has one such reference and item eight under the list you are referencing does as well. It references the right-to-know law which is 65 P.S. Mr. Forsyth stated that is the steps the district has to take in order to secure this information, it is what this is referencing and this policy’s purpose. Mr. Rohner added, just so you know, you will get an increase in right-to-knows. Ms. Kulick added a lot of this seems to be based on federal legislation. Mr. Andrews agreed, when he

read this, it was complicated and way above his pay grade. Mr. Rohner added he will do a right-to-know asking for a copy of the attorney's letter regarding Policy 830 and her drafting of this policy since PSBA does not have a generic version of this policy. He added, evidently we are ahead of the curve in the state of Pennsylvania.

IX. **ADJOURNMENT:** 4:50 p.m.

**RECOMMENDATION OF THE COMMITTEE:** Motion to adjourn was made by Lisa VanWhy. Motion was seconded by George Andrews and carried unanimously, 4-0.

Next meeting: September 19, 2022 at 4:30 p.m. in the Carl T. Secor Administration Board Room & via Zoom.

Respectively submitted by,  
Debra Wisotsky