

Office of the General Counsel



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October 17, 2016

Sent via email

John Eppolito, President
Protect Nevada Children

Re: Records Request, NRS 239 et seq.

Dear Mr. Eppolito:

The Washoe County School District (“District” or “WCSD”) is in receipt of your Freedom of Information Act (“FOIA”) request dated September 29, 2016. As stated in this Office’s October 6, 2016 letter, FOIA does not apply to state agencies. As such, your request was processed under Nevada’s public records statutes, NRS 239 et seq. Your requests and the District’s responses are as follows:

- 1) How many minor students in the district have signed up for third party on-line educational accounts without parent approval?

Response: There are no public records responsive to this request.

- 2) Some of the 3rd party on-line software and applications used in WCSD tell us they will share our children’s personal data with others. We’ll call them 4th parties. Who are these 4th parties?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 3) How are these 4th parties paid?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 4) Can the 4th parties share our children’s personal data with others?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 5) Exactly which of these parties will be amassing a profile on our children?
- What will these profiles be used for?
 - How will these profiles affect our children's futures? AND
 - Will any of these parties be developing psychological profiles on our children?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 6) Under what circumstances will all these 3rd and 4th parties, delete our children's personal data, and the profiles they created?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 7) Will any of these entities be selling our children's personal data?
- If yes which parties will sell our children's data?
 - Will any of them sell the profiles created by analyzing our children's data?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 8) Exactly how will student data be stored, shared, used, and analyzed by all these parties?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 9) Will parents ever have access to the data, how it was analyzed, and the profiles created by all these entities?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

- 10) Can all these third parties possibly keep our children's personal data safe?

Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

11) How can parents access this information and when?


Response: To the extent public records exist, on October 7, 2016, the District already provided to you the vendor agreements in response to your July 28, 2016 public records request.

Mr. Eppolito, the Washoe County School District appreciates your involvement in education. The mission of the District is to ensure "Every Child, By Name and Face, to Graduation." The District successfully raised graduation rates from 66% to 77% and the numbers are trending higher. The District also achieved all-time highs in graduation rates for special needs students. We continue to provide all of our students, including those in underprivileged situations, more options to succeed. At the same time, we continue to focus on our core fundamentals of providing a relevant and rigorous curriculum, inclusive practices, school climate and student engagement, and tiered strategies of support for struggling students.

In order for us to continue to achieve our successes, we must focus on them. The District answered your questions on more than one occasion, e.g., you met with the Chief Performance Officer multiple times to discuss these very issues. The District now realizes that no matter what answer we provide you will continue to ask more questions until you receive the answer you want. As a result, the District needs to get back to the business of educating our students, we are providing you all relevant documents, and we will no longer interrupt our mission of educating students to answer your questions that we previously answered.

We wish you and your children all the success, and we will continue to work hard for our students' successes.

Sincerely,


Neil A. Rombardo
Chief General Counsel
Office of General Counsel

cc: Traci Davis, Superintendent
David Lasic, Chief of Staff
Angela Taylor, President, Board of Trustees
John Mayer, Vice President, Board of Trustees
Veronica Frenkel, Clerk, Board of Trustees
Diane Nicolet, Member, Board of Trustees
Ryan Gonda, Member, Board of Trustees
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