

Ms. Raquel Regalado, Board Member

SUBJECT: KEEPING I.D. SAFE (KIDS) ACT, SB 242/HB 151

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

LINK TO STRATEGIC FRAMEWORK: SCHOOL/DISTRICT LEADERSHIP

In August of this year, the School Board of Miami-Dade County unanimously approved Board Item H-5, through which the Superintendent directed “the Police Chief in conjunction with other departments to develop a comprehensive identity protection plan that includes an awareness, education and prevention campaign” and, tasked the district with defining what personal information we will require from our students in the 2015-16 school year.

Following this item, many parents have asked what they can do in the interim to protect their child’s identity while sensitive personal information is still being collected by Miami-Dade County Public Schools (M-DCPS). This item responds to that inquiry by asking M-DCPS to inform parents about the Keeping I.D. Safe (KIDS) Act (CS/SB 242/ HB151).

The bill, whose provisions became effective in Florida on September 1, 2014, enables a guardian or other advocate to place a security freeze on the credit of an individual who is 1) younger than 16 years of age; 2) incapacitated; or 3) disabled.

Once a security freeze is in place, consumer reporting agencies are prohibited from releasing any information (including credit score) contained in the individuals consumer report to a third party without the express authorization of the guardian, thus potentially preventing identity theft by an unauthorized third party and preventing the opening of lines of credit and/or execution of financial instruments. However, should a consumer reporting agency violate said freeze by releasing information without proper authorization, the law triggers several notice responsibilities as well as civil relief for the victim(s).

Pursuant to the bill, a guardian or advocate must submit a request to the consumer reporting agency along with proof of authority and identification and pay a fee not to exceed ten dollars to secure and/or remove the freeze. However, no fee is due if the guardian has documentation to prove that the individual for whom the freeze is sought has been the victim of identity theft.

At M-DCPS, we recently had a breach involving student data that resulted in a criminal case and the modification of the information that employees can access through our communications systems. Therefore, this item requests that 1) the guardians of the students involved in said breach be given the documentation necessary to invoke the fee waiver of the KIDS Act; 2) the guardians of all M-DCPS students younger than 16 years of age be provided with information regarding the KIDS Act and 3) the guardians of all M-DCPS students classified as disable and/or incapacitated be provided with information regarding their rights under the KIDS Act.

**ACTION PROPOSED BY
MS. RAQUEL REGALADO:**

That The School Board of Miami-Dade County, Florida, through the Superintendent, direct the School Board Attorney to draft informational material for parents regarding the KIDS Act and present the School Board with policy changes, if necessary, to insure that if/when an informational breach occurs that the guardians of the victims are provided within a reasonable time the documentation necessary to invoke the fee waiver of the KIDS Act.