

**DATA SHARING AGREEMENT
BY AND BETWEEN
JEFFERSON COUNTY BOARD OF EDUCATION
AND
KENTUCKY COUNCIL ON POSTSECONDARY EDUCATION**

This Data Sharing Agreement ("Agreement"), is by and between the Jefferson County Board of Education (dba Jefferson County Public Schools) and the Kentucky Council on Postsecondary Education (CPE). WHEREAS, CPE administers a federally funded Gaining Early Awareness and Readiness for Undergraduate Program (GEAR UP) state grant, the largest outreach college readiness program to promote postsecondary education reform in Kentucky.

This GEAR UP state grant project, known as GEAR UP Kentucky 3.0 (GUK), is designed to support the shared goals of the GEAR UP program, CPE Strategic Agenda, and the Unified Strategy for Kentucky's landmark college readiness legislation, Senate Bill-1 (SB-1) to increase graduation rates and postsecondary enrollment and reduce the need for remediation at the postsecondary level. Jefferson County Public Schools (JCPS) agrees to provide regular student demographic, attendance, behavioral and course performance and outcome data to CPE for the successful service delivery as well as the evaluation the GUK program. CPE agrees to use the data only for the purpose for which it was disclosed and outlined in this Agreement. The terms of this Agreement are through June 30, 2017 unless terminated or extended in writing by one or both parties.

In September 2011 the Council received its third GEAR UP grant, a six-year \$26.9 million award to support college readiness outreach and strengthen postsecondary partnerships. GEAR UP encourages at-risk middle and high school students to stay in school, study hard, and take the right courses to go to college.

WHEREAS, JCPS students participating in the GUK program while attending Western Middle School (Western) are eligible to continue receiving those college access services until 2017;

WHEREAS, those eligible students do not matriculate, as a cohort, to a single high school;

WHEREAS, the existing Data Sharing Agreement between the Kentucky Department of Education (KDE) and CPE provides monthly access to this data for all GUK students statewide other than the students who have matriculated from Western;

WHEREAS, the effective student recruitment, delivery of comprehensive advising, college planning and individualized mentoring requires ongoing access to academic, demographic and behavioral data.

unauthorized disclosure of confidential student information is a violation of the Family Educational Rights and Privacy Act of 1974 (FERPA) and the implementing regulations found in 34 CFR Part 99 and shall not be permitted to occur.

Accordingly, CPE and GUK acknowledge and assure that in all reports, electronic or otherwise, derived from information made available under this Agreement, all data shall be aggregated in such a way that no individual will be identified directly or by deduction. CPE and GUK further acknowledge and assure that the student-level data elements will not be released to any third party other than data management and evaluation partners. While in possession of these data, CPE and GUK acknowledge and agrees that it shall permit access only to its employees, partners and contractors, in each case, who are authorized to assist with providing services and/or conducting an evaluation of the success of the GUK program.

All CPE employees, partners, and contractors who are authorized to have access to the data have signed documents to certify their understanding that they may be held individually liable for any and all criminal and civil penalties imposed for breach of confidentiality ("Access to Confidential Data"). CPE and GUK also agree to maintain the data in a secure system and to prevent unauthorized access. CPE and GUK agree to destroy all student-level data files after the final reporting cycle to U.S. Department of Education. Any evaluation report(s) will include only aggregate-level findings so that no individual can be identified directly or by deduction. CPE and GUK may publish aggregate-level findings.

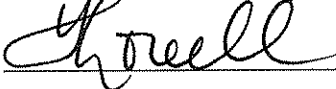
IN WITNESS WHEREOF, the authorized representatives have caused this Agreement to be executed effective as of the date signed by the last party.

Jefferson County Board of Education:

By: _____ Date: _____

Donna M. Hargens, Ed.D.
Superintendent

Council on Postsecondary Education/ GEAR UP Kentucky:

By:  Date: 4-4-14

Yvonne Lovell, Executive Director
GEAR UP Kentucky