



Date: December 16, 2014

TO: Livingston Parish School District

FROM: Lifetouch National School Studios Inc. (Lifetouch)

Re: Photography Agreement Addendum for Student Data Privacy and Security

As you know, Louisiana enacted in the past legislative session new requirements that govern the disclosure and use of personally identifiable information of students, as well as contracts between schools and their service providers entrusted with handling such information. Lifetouch has always taken the confidentiality and security of student data and images very seriously.

In order to provide efficient delivery of school portraits to your school for distribution to students, certain basic student information is necessary. Lifetouch handles such information strictly in accordance with the conditions imposed on "school officials" by the Family Educational Rights in Privacy Act (FERPA). We have also closely monitored the progress and implementation of recent state legislative activity pertaining to student data. The purpose of this letter is to assure you that Lifetouch is fully prepared and compliant with *La. R.S. 17:3913 and 3996(B)(34)*, effective August 1, 2014).

To that effect, this letter, together with the attached *FAQ for School Records Custodians*, shall serve as an Addendum to the Photography Agreement between your school and Lifetouch. These documents confirm Lifetouch's commitment to meet the requirements of all applicable laws, regulations and school policies, while assisting your school in its own compliance efforts.

We also want to bring to your attention that Lifetouch offers a secure portal for the transmission of student data and images to and from your school. The Lifetouch Portal was designed with student data privacy and security in mind, including the requirements set forth in La. R.S. 17:3913(F). A Lifetouch Portal whitepaper further detailing data security measures is available on request.

Please feel free to contact your Lifetouch account representative with any questions or concerns about this important topic. You may also contact the Lifetouch Privacy Office at privacyoffice@lifetouch.com.

LIFETOUCH NATIONAL SCHOOL STUDIOS INC.

By: Michael Meek
Title: President & Chief Operating Officer

By: Nicole Bienvenu
Title: Territory Manager

IMPORTANT

Student & Staff Data Privacy FAQ for School Records Custodians

Lifetouch National School Studios Inc. ("Lifetouch") is a trusted provider of school services, providing portrait and photography services to schools and families throughout North America since 1936. In preparation for Picture Day, Lifetouch requires certain directory-type information from your school ("School Data"), to be used as follows:

- *To produce and deliver to schools the portrait based products and services needed for the school's administrative purposes and/or for use in the school yearbook (the "School Service Items"); and*
- *To deliver Picture Day notices on behalf of your school and provide parents of students photographed opportunities to purchase portraits.*

The following FAQs are intended to further demonstrate Lifetouch's commitment to responsible stewardship of your School Data.

What School Data does Lifetouch collect?

The data we need for Picture Day depends upon the specific services and deliverables Lifetouch is providing your school. We limit collection to only that which is necessary for an authorized school purpose. We collect basic roster and classroom information in advance of Picture Day to ensure a perfect name-image match for each portrait and for efficient distribution within the school. If permitted, we collect parents' email addresses in order to deliver Picture Day-related communications on your behalf. In such cases, we do not retain or use such information for any other purpose unless the parent affirmatively opts in to receive updates and promotional offers from Lifetouch.

In addition, School Data may be incorporated into School Service Items. For example, if Lifetouch is producing student ID cards, we need the student ID number to do the job. Schools ultimately decide how much, or how little, information is used in producing School Service Items.

How does Lifetouch use School Data?

Lifetouch uses School Data solely as necessary to create, offer and deliver student images and school administrative services to the school and families of the students. Lifetouch will not sell or license such data to others. To the extent service providers are employed by Lifetouch to assist in fulfilling Lifetouch's obligations, we require compliance with strict confidentiality and security measures.

Lifetouch retains School Data only as necessary and permissible to promote the sale of portraits to parents, to retrieve the images to supply picture orders for the current school year and to support the school for an approved administrative purpose. Once such data is no longer needed for these purposes, it is securely destroyed. While retained, images remain under Lifetouch's control and treated as confidential information.

What about FERPA - does the law allow disclosure of School Data to Lifetouch?

Yes. Lifetouch acknowledges its obligations as a service provider to your school for student and staff photography pursuant to the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g and its implementing regulations, 34 CFR part 99. As such, we affirm that Lifetouch has a legitimate need for certain School Data to provide photographic services and products for the school's administrative needs. Your school retains the authority to control Lifetouch's use of School Data, including the right to require the return or destruction of any School Data provided to Lifetouch at any time.

Additionally, Lifetouch will strive to meet any additional data handling requirements as prescribed by state law and/or school district policies, as long as we are notified of the same prior to disclosure.

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How does Lifetouch protect School Data?

Lifetouch employs a variety of physical, technical and organizational security measures to help protect School Data from unauthorized access and use.

Facilities. Lifetouch produces portraits and School Service Items within its own U.S.-based photo labs. Lifetouch network devices are located in secure datacenter facilities under direct control by Lifetouch employees. These facilities employ physical security controls such as restricted role-based access, entry logs and video monitoring.

Networks. Devices storing or providing access to School Data are protected with the same multi-layered security strategies that we use to protect Lifetouch's sensitive and confidential business records. Image databases supporting our photo processing labs and websites are separated from associated data files containing identifiable information, and all databases are protected by firewalls, monitoring, vulnerability scanning and authentication procedures. We perform regular network penetration testing and intrusion prevention methods. Our systems enable secure transmission of School Data from and to the Lifetouch network with encryption technologies.

Personnel. Lifetouch's policy is to collect, use and disclose personal information only in ways that are consistent with our respect for an individual's privacy. We require Lifetouch employees to sign confidentiality agreements as a condition of employment, and provide training on the appropriate use and handling of School Data. Access to School Data is limited to those who need it to perform their jobs. We take appropriate measures to enforce these policies.

Enterprise. A comprehensive set of IT policies based on ISO 27001/2 governs information systems practices and procedures throughout the Lifetouch enterprise. As a Level 2 merchant transacting over one million credit card transactions per year, Lifetouch is subject to annual third party certification of its compliance with the Payment Card Industry's Data Security Standard.

Lifetouch is greatly concerned about child safety and we take great pride in our SmileSafe KidsSM child safety program. The SmileSafe Kids program was developed in 2004 in partnership with the National Center for Missing and Exploited Children (NCMEC), to provide to parents a picture ID card for their children that might be used by the parent in the event the child is missing. The card is a useful resource for parents in everyday situations – for example, to show store personnel in the event a child becomes lost while shopping.

Moreover, in the devastating event of actual child abduction, the SmileSafe Kids ID card may be used to facilitate 24x7 transfer of a high-quality portrait to NCMEC to assist in search efforts, but only if requested by the parent and confirmed by law enforcement that an open case exists. As of June 2014, this program has assisted in the recovery of 51 missing children and has been recognized by privacy authorities as a praiseworthy example of "Privacy by Design."