

MPA Third-Party For-Profit Data Access Policy

Effective Date: January 15, 2026

Approved by: MPA Board of Directors and Interscholastic Management Committee

1. Purpose

The Maine Principals' Association (MPA) is committed to protecting student information, personal data, organizational integrity, and the public interest. This Third-Party For-Profit Data Access Policy establishes the conditions under which commercial or for-profit entities may request access to MPA data.

This policy is intended to ensure transparency, consistency, and compliance with the Maine Freedom of Access Act (FOAA), 1 M.R.S. §§ 400–414, while clearly distinguishing between public records access required by law and discretionary access to data for commercial purposes.

2. Scope

This policy applies to all requests submitted by **for-profit, commercial, or revenue-generating entities** seeking access to MPA data that is not otherwise made publicly available through the MPA website.

This policy does **not** apply to:

- Requests for public records submitted pursuant to FOAA
- Data access by MPA employees, contractors, or vendors acting under a written agreement with MPA

3. Relationship to FOAA (Maine Freedom of Access Act)

Nothing in this policy is intended to limit, restrict, or supersede the public's right of access to records as required under FOAA or other applicable law.

Requests for records that may constitute public records under FOAA must be submitted and processed in accordance with MPA's established FOAA procedures. The existence of this policy does not create additional rights of access beyond those provided by law.

Discretionary access to data for commercial or for-profit use that is not required to be disclosed under FOAA may be granted or denied at MPA's sole discretion in accordance with this policy.

4. Definition of Data

For purposes of this policy, "data" includes any information maintained, collected, or generated by MPA, whether public or non-public, including but not limited to:

- Databases, directories, or datasets
- Registration, eligibility, credentialing, or application data
- User account or login-related information
- Aggregated or compiled information not otherwise publicly posted
- Metadata or system-generated information

5. General Policy Statement

MPA does **not provide unrestricted, bulk, or ongoing access to data for commercial or for-profit use.**

Any access granted to a for-profit entity is discretionary, evaluated on a case-by-case basis, and may be denied without explanation. Approval of one request does not establish precedent or obligate MPA to approve future requests.

6. Evaluation Criteria

In reviewing a request for data access, MPA may consider, among other factors:

- The stated purpose and intended use of the data
- Whether the request serves a legitimate educational, operational, or public interest
- The scope, volume, and sensitivity of the data requested
- Potential impact on student privacy and confidentiality
- Data security risks
- Legal, ethical, or reputational risk to MPA
- Whether the data is otherwise publicly available

7. Prohibited Uses

For-profit entities granted access to MPA data shall not:

- Use MPA data for marketing, advertising, lead generation, solicitation, or resale
- Attempt to identify, profile, or track individual students or student participants
- Combine MPA data with other datasets to create derivative commercial products without prior written authorization
- Redistribute, sublicense, publish, or make available MPA data to third parties without written consent
- Use automated scraping, harvesting, or extraction tools to collect data from MPA systems

8. Conditions of Access

If MPA approves a request for data access, MPA may require, as a condition of access:

- A written data use or confidentiality agreement
- Limitations on the type, format, scope, and duration of access
- Restrictions on data retention and requirements for secure disposal
- Reasonable assurances regarding data security and privacy safeguards
- Indemnification or liability protections
- Payment of reasonable administrative or cost-recovery fees, where permitted by law

9. Revocation of Access

MPA reserves the right to suspend or revoke data access at any time if:

- The requesting entity violates this policy or any applicable agreement
- The approved purpose for access changes
- Continued access presents legal, security, privacy, or reputational risk
- Access is determined to no longer be in the best interests of MPA

10. No Guarantee of Access

Nothing in this policy creates a right to access MPA data. This policy does not alter or expand MPA's obligations under FOAA or any other law.

11. Governing Law

This policy shall be governed by and construed in accordance with the laws of the State of Maine.

12. Contact Information

Requests for data access by for-profit entities, questions regarding this policy, or inquiries regarding FOAA requests should be directed to MPA using the contact information provided on the MPA website.