

# Salt Lake City School District

## S – 2 Form (See Policy and Administrative Procedures)

Title: ANNUAL NOTICE – Student Records, Privacy Rights, and Release of Information

Index: S = Student Policies

The Board of Education of the Salt Lake City School District has adopted policies for student records and information management consistent with the Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g, 34 CFR Part 99, Protection of Pupil Rights Amendment (PPRA), Elementary and Secondary Education Act, 20 USC §7165, 20 USC § 7908, 10 USC §503, Utah Code 53A-13-301 through 302

### STUDENT RECORDS

Under FERPA, and Salt Lake City School District policies, parents and legal guardians of students currently enrolled or eligible students (those over the age of 18 years or who have been emancipated) have the following specific rights:

1. The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

If you wish to exercise this right, you should submit to the school principal or the principal's designee a written request that identifies the record(s) you wish to inspect. The principal will make arrangements for access and notify you of the time and place where the record(s) may be inspected.

2. The right to request the amendment of the student's education records that the parent, guardian, or eligible student believes are inaccurate or misleading.

If you wish to exercise this right, you should write the school principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested, the district will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. Additional information about the hearing procedures will be provided with notification of the right to a hearing.

3. The right to give written consent before the district may disclose personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Consent is not required for disclosures to "school officials with legitimate educational interests." A *school official* is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a *legitimate educational interest* if the official needs to review an education record in order to fulfill his or her professional responsibility.

Consent is not required to disclose education records, including disciplinary records, to officials of another school district in which a student seeks or intends to enroll.

### DIRECTORY INFORMATION

Salt Lake City School District may also disclose appropriately designated directory information without prior written consent, unless parents, guardians, or eligible students have specifically requested, in writing, that such information not be disclosed. Salt Lake City School District defines directory information as the following:

- Student's name, address, and telephone listing
- Participation in officially recognized activities and sports
- Weights and heights of members of athletic teams
- Dates of attendance
- Awards and honors
- School and grade level
- Photographs and other images

Such information, which is generally not considered harmful or an invasion of privacy if released, may appear on school or district Web sites, in school publications, and may be disclosed to outside organizations. Examples of the use of directory information include the following:

- Student directories
- School yearbooks
- Team rosters and class lists
- Graduation, theatrical, athletic, and music programs
- Videos of performances, school activities, and athletic events
- Articles about school activities and athletic events
- Lists and photos of students receiving honors, awards, or scholarships
- News media coverage of school events or programs

#### DENIAL OF RELEASE OF ALL DIRECTORY INFORMATION – ANY STUDENT K-12

If you wish to deny the release of your student's directory information, in all contexts, as described above, you must submit a written request to the school principal within 20 days of your student's enrollment.

Choosing this option means that your student's directory information will not be released without your prior written consent. It also means your student will be excluded from school documents that typically are made public, such as yearbooks; graduation programs; honor roll and other recognition lists; sports, musical, and theatrical programs; student directories; and other documents related to school-sponsored organizations or activities.

#### MILITARY AND COLLEGE RECRUITERS – HIGH SCHOOL STUDENTS

Two federal laws require schools/school districts receiving assistance under the Elementary and Secondary Education Act (ESEA) to provide three categories of student directory information for high school juniors and seniors to military recruiters upon request. Schools/districts must release student names, telephone numbers, and addresses — unless a parent, guardian, or eligible student has opted out as outlined below.

Recruiters for institutions of post-secondary education, including colleges, universities, and trade schools, often request directory information for students. The general policy of Salt Lake City School District is to release student names, telephone numbers, and addresses to legitimate educational institutions, unless a parent, guardian, or eligible student has opted out as outlined below.

1. Denying release of information to military recruiters only: If you wish to deny the release of your student's name, address, and phone number to military recruiters, you must either:
  - Notify the principal in writing to deny the release of your student's information within 20 days of his or her enrollment, or
  - Complete the appropriate section of Salt Lake City School District's Student Information Military and College Recruiting Opt-Out form and submit it to your high school principal within 20 days of your student's enrollment.
2. Denying release of information to college recruiters only: If you wish to deny the release of your student's name, address, and phone number to college recruiters or institutions of higher education, you must either:
  - Notify the principal in writing to deny the release of your student's information within 20 days of his or her enrollment, or
  - Complete the appropriate section of Salt Lake City School District's Student Information Military and College Recruiting Opt-Out form and submit it to your high school principal within 20 days of your student's enrollment.

Your student's opt-out status or denial of release of information will not change until you notify the principal, in writing, or complete and submit another opt-out form. Please understand that Salt Lake City School District cannot prevent recruiters or other entities from obtaining students' names, addresses, and telephone numbers through means other than the official release of information as outlined in this document.

## SPECIFIC PRIVACY PROTECTIONS

The Protection of Pupil Rights Amendment (PPRA), appended to FERPA, requires Salt Lake City School District to notify you and obtain consent or allow you to opt your child out of participating in any federally funded student survey, analysis, or evaluation that reveals information concerning the following eight protected areas:

1. Political affiliations or beliefs of the student or student's parent or guardian,
2. Mental or psychological problems of the student or student's family,
3. Sexual behavior, orientation, or attitudes,
4. Illegal, anti-social, self-incriminating, or demeaning behavior,
5. Critical appraisals of others with whom respondents have close family relationships,
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers,
7. Religious practices, affiliations, or beliefs of the student or student's parent or guardian,
8. Income, other than as required by law to determine program eligibility.

Parents, legal guardians, and eligible students have the right to review, upon request and before giving consent, any survey that concerns one or more of the eight protected areas and any instructional materials used in connection with such a survey. To review a survey instrument or instructional materials connected with it, please contact the principal of your child's school to arrange a time and place for review.

Utah Code (53A-13-301–302) expands the requirements for parental notification and consent under the federal FERPA/PPRA law. The state law requires that parent(s) or guardian(s) be notified at least two weeks before planned activities or assignments pertaining to the eight protected areas are scheduled in the classroom, or before any survey, analysis, or evaluation about one or more of the protected topics is to be given. A parent or guardian must give prior written consent; if consent is not obtained, a student may not participate in such activities or discussions.

Complaints of alleged failures by the district to comply with student privacy requirements should be addressed to the school principal or to Salt Lake City School District's Director of Student Services. If they are not or cannot be resolved at the local level, FERPA/PPRA complaints may be filed with the following federal agency:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

Telephone: (202) 260-3887

Please note: Unrelated to the requirements of FERPA/PPRA, the Children's Internet Protection Act (CIPA) mandates that school districts develop an Internet safety plan that protects students from the unauthorized disclosure, use, and dissemination of their personal information on the Internet. See Salt Lake City School District Board Policies I-23, Web Page Publishing, and I-18, Student Internet Acceptable Use, for more specific information, including procedures and release forms.

Complaints of alleged failures by the school or district to comply with CIPA privacy requirements should be addressed to the school principal, or to the Supervisor of Instructional Technology.

Policy S-2, Student Records, Privacy Rights, and Release of Information, is available upon request and may be accessed on Salt Lake City School District's website. Questions about this policy and a parent's, guardian's, or student's rights under the Family Education Rights and Privacy Act, the Protection of Pupil Rights Amendment, or the Elementary and Secondary Education Act may be addressed to the school principal or to the Director of Student Services, Salt Lake City School District.

2/1/2010