

Salt Lake Academy Annual Notification of FERPA Rights

Family Educational Rights and Privacy Act Annual Notification

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days after the day the school or district receives a request for access. Parents or eligible students who wish to inspect their child’s or their education records should submit to the school principal a written request that identifies the records they wish to inspect. The school principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. Parents or eligible students who wish to ask to amend their child’s or their education record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school’s or school district’s annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. =The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

FERPA permits the disclosure of PII from students’ education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may

disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

Family Educational Rights and Privacy Act - Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Salt Lake Academy High School, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the school may disclose appropriately designated "directory information" without written consent, unless you have advised the school to the contrary in accordance with school procedures.

Purpose of directory information

The primary purpose of directory information is to allow the school to include information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;

- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Salt Lake Academy High School may not disclose information from education records without prior parental consent, except as provided by law. Salt Lake Academy High School may disclose directory information for appropriate reasons after giving parents annual notice of their right to request that their student's directory information not be released.

Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

Military recruiters and institutions of higher education

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters or institutions of higher education, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

Opting out

If you do not want Salt Lake Academy High School to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the school's director in writing by the 14th day of the school year.

What information is designated directory information?

SLAHS has designated the following information as directory information:

- Student's name
- Address
- Grade
- Date and place of birth
- Participation in officially recognized sports and activities
- Weight and height of members of athletic teams
- Photograph
- Dates of attendance
- Honors and awards
- Date of graduation
- School awarding graduation credential
- Title of credential
- Most recent school attended

Family Educational Rights and Privacy Policy

To encourage positive parental involvement and to comply with Federal and State laws concerning family educational rights and privacy (FERPA) the following procedures provide standards for the protection of private information within the curriculum and other school activities.

Salt Lake Academy High School personnel, partners, or agents will not conduct any inquiry or activity to cause a student to reveal information concerning the student's or any family member's political affiliations or philosophies; mental or psychological problems; sexual behavior, orientation, or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; and religious affiliations or beliefs. This does not limit the ability of a student to spontaneously express sentiments or opinions otherwise protected against disclosure under this section.

Parents may give written consent for students to participate in activities revealing personal information. Consent is valid only if a parent has been first given written notice, including a copy of questions to be asked of the student and parents, have a reasonable opportunity to obtain written information concerning the records that will be reviewed.

Notice must be given at least two weeks before the information is sought. A parent or guardian may waive the two-week minimum notification period. Unless otherwise agreed to by a student's parent, the authorization is valid only for the specific activity for which it was granted. A written withdrawal of authorization submitted to the principal terminates the authorization. A general consent used to approve admission to school or involvement in special education, remedial education, or a school activity does not constitute written consent.

If school personnel believes a student is being abused, or at-risk of attempting suicide, physical self-harm, or harming others, the personnel may intervene and ask a student questions regarding the concern for the purposes of:

- reporting under the Child Abuse or Neglect Reporting Requirements
- referring the student to appropriate prevention services; and
- informing the student's parent
- youth suicide prevention, intervention, or post-intervention

Student Education Records

Parents have the right to inspect and review all of their student's education records maintained by Salt Lake Academy High School. If the education records of a student contain information on more than one student, the parent may inspect and review or be informed of only the specific information about their student. Parents may challenge and request Salt Lake Academy High School to amend any portion of their student's education record that is inaccurate, misleading or in violation of the privacy rights of the student. Salt Lake Academy High School shall consider the request and decide whether to amend the records within a reasonable amount of time. If Salt Lake Academy High School decides not to amend the record as requested, it shall inform the parent/guardian of its decision and of their right to a hearing.

In addition to Utah statutes (§53G-7-204), the Family Educational Rights and Privacy Act (FERPA) makes students' school records confidential and lays out the requirements for student records requests.

Students who have 1) graduated or 2) turn 18 (whichever occurs last) or are 3) emancipated (eligible student) become the custodian of their own educational records. Parents/guardians do not have access to these students' records without a written request of records authorized by the student. An adult who requests records of a person who is 18 years or older must have court papers showing legal guardianship of that person or be able to prove that they claimed that person on their income taxes.

The school does not need to provide education records to parents at the time of the request, and can as long as the requested records are provided in a timely manner. Under FERPA, the school is required to make records ready for review by the parent or eligible student within 45 days of a request. If the parent is 50 miles or more away, the school can mail or fax the records with proof of identification.

A school that receives a request for educational records shall:

Obtain a written "Request for Educational Records" for each instance of a records request. Written consent includes all of the following:

- Signature of the eligible student or the parent of a non-eligible student consenting to allow another person to see the education record(s);
- Date that the consent was signed;

- Name of the person(s) who may see the education record(s);
- Description of the education record(s) that may be disclosed (or the information from the education record(s) that may be disclosed); and
- The reason for allowing the person or party to see the education record(s).

Verify that the requestor has a right to the educational record.

- Verify identification (Picture ID and Skyward Family tab, Families #1 & #2)
- If a non-custodial parent, consult the most recent legal document, and provide a courtesy call to the custodial parent/guardian prior to fulfilling the records request to determine if you have the most recent legal document.

Non-Custodial Parent Requests

A non-custodial parent has the right to written education records. A new records request form must be completed for each request. A school may presume that the non-custodial parent of a minor child has authority to inspect and review the education records of the child unless the school/principal is provided with evidence that there is a legal binding instrument or court order which provides to the contrary. The school principal shall contact the custodial parent to determine if there is a court order or other legally binding document prohibiting the non-custodial parent access to the child's education records. Access to a student's record granted to a non-custodial parent includes electronic access to academic and attendance records unless court documents indicate otherwise.

Parent/Student Request to Amend a Record

The custodial parent, guardian, or 18-year-old student has a right to request the amendment of the student's education record. Parents or eligible students may ask the school principal to amend a record that they believe is inaccurate or misleading in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the school decides not to amend the record as requested by the parent or eligible student, the school shall notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided by SLAHS administration to the parent or eligible student when notified of the right to a hearing.

Data Privacy and Security

The principal of Salt Lake Academy High School is responsible for Information Technology and acts as its IT Security Officer (ISO) responsible for overseeing the school's security. The principal may contract services or delegate responsibilities to others but is responsible to ensure that the school's procedures are adhered to.

Salt Lake Academy High School will:

- provide annual security training to all employees that emphasize their personal responsibility for protecting student and employee information.
- ensure that personal computers are not left unattended and unlocked, especially when logged into sensitive systems or data including student or employee information.
- ensure that server rooms and telecommunication rooms/closets are protected by appropriate access control which segregates and restricts access from general school or office areas.

Network perimeter controls are implemented to regulate traffic moving between trusted internal resources and external, untrusted (Internet) entities.

Salt Lake Academy High School filters internet traffic for content defined in law that is deemed harmful to minors by using a combination of technological means and supervisory means to protect students from harmful online content. Students

are supervised when accessing the internet and using Salt Lake Academy High School owned devices on school property. When students take devices home, Salt Lake Academy High School relies on parents to provide the supervision necessary to fully protect students from accessing harmful online content.

Salt Lake Academy High School considers the protection of the data it collects on students, employees, and their families to be of the utmost importance and will protect student data in compliance with the Family Educational Rights and Privacy Act, 20 U.S. Code §1232g and 34 CFR Part 99 ("FERPA"), the Government Records and Management Act U.C.A. §62G-2 ("GRAMA"), U.C.A. §53A-1-1401 et seq, 15 U.S. Code §§ 6501–6506 ("COPPA") and Utah Administrative Code R277-487 ("Student Data Protection Act"). Parents and employees will be notified if there is a breach in student or employee data privacy due to a security breach.