

# S-2: Annual Notice Student Records, Privacy Rights, and Release of Information



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## REFERENCES

[Board Policy S-2: Student Records, Privacy Rights, and Release of Information](#)  
[S-2: Administrative Procedures, Student Records, Privacy Rights, and Release of Information](#)  
[Utah Code Ann. §53E-9-202 et seq., Student Privacy and Data Protection Act](#)  
[20 U.S.C. §1232\(g\), Family Educational Rights and Privacy Act, 34 C.F.R. Part 99](#)  
[20 U.S.C. §1232\(h\), Protection of Pupil Rights Amendment, 34 C.F.R. Part 98](#)

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## ANNUAL NOTICE

The Salt Lake City School District Board of Education complies with all state and federal laws pertaining to protecting the privacy of student records, students, and their parents and families. Board policies and procedures ensure that students and their parents or guardians are notified of and afforded their rights under the law. Board Policy S-2: Student Records, Privacy Rights, and Release of Information, and its accompanying administrative procedures are available upon request or can be accessed on the district website. Questions about parent or student privacy rights should be addressed to the school principal or the director of student services.

### I. Student Records

- A. Parents and eligible students (those over the age of 18 years or who have been emancipated), have the right to review official educational records, such as grades, attendance, and other information found in the student's cumulative/permanent record file. This right does not extend to classroom records held by an individual teacher, principal, counselor, or other staff.
  1. To review or obtain copies of a student's education records, you must submit a written request to the school principal or the principal's designee, identifying the requested record(s). The principal or designee will make arrangements for you to access the records within 45 days of receiving the request.
- B. Parents or eligible students who believe an educational record contains information that is inaccurate, misleading, or in violation of the student's privacy may request that the record be amended or corrected.
  1. To request an amendment or correction of a school record, you must submit a written request to the school principal. The written request should clearly identify the part of the record in question and specify why you believe it is inaccurate or misleading.
  2. The principal will render a decision within 20 school days of the receipt of the request. If the principal's decision is to not amend the record, and you wish to challenge that decision, you must send a written request for a hearing to the director of student services within ten days of the principal's decision.
  3. The director of student services will refer the appeal to an independent hearing officer who will conduct a hearing within 20 days. You may be assisted or represented by one or more individuals, including an attorney, and will have the opportunity to present evidence supporting your request. You must give advanced notice of intent to include legal representation so that the district also has the opportunity to include legal representation as well.
  4. If the hearing officer's decision is to amend the student's record, you will receive written notification of the amendment. If the record will not be changed, you may place a statement in the student's record commenting on the contested information and/or an explanation of why you disagree with the hearing officer's decision.

### II. Information Provided to School Officials with Legitimate Educational Interests

- A. FERPA permits disclosure of education records or student personally identifiable information ("PII") to school officials with legitimate educational interests.
  1. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including nurses and student resource officers) or a person serving on the school board.
  2. A school official may also include a volunteer, contractor, software vendor, or consultant, who:
    - a. while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees; and
    - b. is under the direct control of the school with respect to the use and maintenance of PII from education records.

3. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.
4. The district will share with a school official only those education records necessary for the school official to fulfill his/her professional responsibilities or contractual obligations.
  - a. For more information on which education records the district shares with non-district personnel, please review the district's meta data dictionary available at:  
<https://datagateway.schools.utah.gov/DataDictionary/Home>
- B. The district or a school will disclose education records without parental consent to requesting officials of another school or school district in which a student intends to enroll, or is already enrolled, if the disclosure is for the purpose of the student's enrollment or transfer.

### III. Student Directory Information

- A. Certain student information designated as "directory information" may be made public without prior written consent. The district has designated the following as directory information:
  1. student's name, address, and parent's telephone number and email address;
  2. student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user;
  3. participation in officially recognized activities and sports;
  4. weight and height of members of athletic teams;
  5. dates of attendance/enrollment at a school;
  6. degrees and awards received;
  7. the most recent or previous educational agency or institution attended by the student;
  8. current grade in school and teacher(s); and
  9. yearbook photos.
- B. Directory information may be included in 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, and news media coverage of school events or programs.
- C. Parents or eligible students who do not want this information to be made public may submit a written request to the school principal within 20 days of completing student registration.
  1. By submitting this request, all student directory information will be withheld, regardless of item or circumstance of publication.
  2. The student's name and directory information will also be excluded from school documents that are typically made public (see, Section III.B above).
  3. Parents or eligible students may not select items or circumstances under which some information may or may not be released.

### IV. Social and News Media

- A. District staff, the media, or other organizations, with the approval of the school principal, may take photographs of students, make audio or videotape recordings of students, or interview students for school related stories. These recordings or images may appear in district publications, the district/school website, on district approved social networking accounts, or in the news media.
- B. This information and these images are generally not considered harmful or an invasion of privacy if released. However, parents or eligible students may opt out of having such information released.
- C. Parents or eligible students should complete and submit the district's S-2: Media Release Form to the principal if they wish to prohibit the district from sharing such information with the media.

### V. Military and College Recruiters

- A. Recruiters for the military and institutions of post-secondary education, including colleges, universities, and trade schools, often request the directory information of high school juniors and seniors. The district will provide the name, address, and telephone number to recruiters unless a parent or eligible student has opted out.
- B. To opt-out, you may either:
  1. submit a written request to the principal within 20 days of completing student registration; or
  2. complete the form S-2: Military and College Recruiting Opt-Out, and submit it to the principal within 20 days of completing student registration.
- C. The district cannot prevent recruiters or other entities from obtaining students' names, addresses, and telephone numbers through means other than an official release of information.

**VI. Specific Privacy Protections and Parental Notification**

- A. Schools will obtain prior written consent from parents before students are asked to complete written assignments, answer questions, complete questionnaires, or take psychological or psychiatric examinations, tests, or treatments which reveal any of the following information about the student or the student's family, whether such information is personally identifiable or not:
  - 1. political affiliations or, except as provided for in state law, political philosophies;
  - 2. mental or psychological problems;
  - 3. sexual behavior, orientation, or attitudes;
  - 4. illegal, anti-social, self-incriminating, or demeaning behavior;
  - 5. critical appraisals of individuals with whom the student or family member has close family relationships;
  - 6. legally recognized privileged and analogous relationships, such as with lawyers, medical personnel, or ministers; or
  - 7. income, except as required by law.
- B. You will receive written notice at least two weeks before any planned activities or assignments involving information outlined in Section A. This notice will provide you with an opportunity to obtain written information about the information requested, including: the purpose of the information; how the information will be gathered and reviewed; a way for you to grant permission to access personally identifiable information; and the individuals or entities who will have access to any personally identifiable information.
- C. School staff will provide consent forms and will monitor student participation so only students with prior written consent will participate.
- D. Unless otherwise agreed to by you and the person requesting written consent, the consent is valid only for the activity/assignment for which it was granted.
- E. The two week prior parental notification requirement is not applicable in a situation which a school employee reasonably believes to be an emergency, in relation to child abuse or neglect reports, or by order of the court.

**VII. Internet Safety**

- A. In accordance with the Children's Internet Protection Act (CIPA), the district has an Internet safety plan that protects students from the unauthorized disclosure, use, and dissemination of their personal information on the Internet. For more information, please refer to Board Policies I-23: Webpage Publishing, and I-18: Acceptable Student Use of Internet, Computers, and Network Resources, and their accompanying procedures.

**VIII. Complaints**

- A. Complaints alleging failure by the school or district to comply with CIPA privacy requirements should be addressed to the school principal or the director of information technology.
- B. Complaints alleging failure by the school or district to comply with privacy laws should be addressed to the school principal or to the director of student services.
- C. If complaints are not or cannot be resolved by the school or district, complaints may be filed with the Family Policy Compliance Office within the Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-4605, 202.260.3887.