

---

**I. PURPOSE**

This policy exists to ensure Athlos Academy follows state and federal laws pertaining to student records and family privacy rights, and that all employees of Athlos Academy maintain appropriate confidentiality of protected student information and records.

**II. DEFINITIONS**

- A. FERPA: The Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g; a federal law designed to protect the privacy of students' education records.

**III. POLICY**

- A. Athlos Academy recognizes the importance of respecting and maintaining the privacy of its student's records and data, not including student directory information.
- B. FERPA mandates that students and their parent/guardian(s) have:
  - 1. The right to examine and request the amendment of education records;
  - 2. The right to limit access to student records and/or personal information, in certain circumstances, by requiring the prior written consent of a parent or guardian before the information or records can be released; and
  - 3. The right to be notified of, examine, and either consent to or opt out of, participating in surveys or educational activities that relate to particular protected areas.
- C. In accordance with Utah Code § 53A-13-301, Athlos Academy shall train its employees on upholding student confidentiality, including an overview of all federal and state laws that pertain to the privacy of educational records concerning students, their parent/guardian(s), and their families.
- D. Access to student cumulative files and other private student records shall be provided in accordance with FERPA.
  - 1. Parent/guardian consent is required prior to disseminating student personal information, except in instances outlined in FERPA;
  - 2. All access to electronically maintained student data shall require password protection; and

## Student Records Confidentiality Policy

---

3. Employees will be trained on recognizing the instances in which divulging private information to authorized persons serves the best interest of the student and serves a lawful purpose.
  4. Teachers are expected to maintain a relationship of trust and respect with each student, and in doing so, shall not reveal student grades, scores, or other performance data to individuals other than the respective student and the student's parent/guardian(s) or to other school officials with legitimate educational interests.
  5. Parents and students will be notified of their rights under FERPA annually.
- E. Athlos Academy of Utah recognizes that a student owns the student's personally identifiable data and may download, export, transfer, save, or maintain the student's student data, including any documents.
- F. If there is a release of a student's personally identifiable student data due to a security breach, Athlos Academy of Utah shall notify the student's parent/guardian(s).
- G. Athlos Academy of Utah shall approve as a part of any contract requiring data sharing a data sharing agreement consistent with the requirements under Utah Code §53A-1-1410 and Athlos Academy of Utah's Data Governance plan.
- H. Athlos Academy of Utah follows the Student Data Protection Act with regards to collecting student data and shall provide the required annual notice as a stand-alone document and as a notice on the school's website including:
1. Necessary and optional data to be collected;
  2. How optional student data will be used;
  3. An authorization to collect optional data;
  4. Data that will not be collected, including:
    - a. A student's social security number;
    - b. A student's criminal record except as required by Utah Code §78A-6-112; and
    - c. Biometric information;

## Student Records Confidentiality Policy

---

5. A statement that Athlos Academy of Utah will not share student data without authorization except as otherwise allowed by state or federal law;
6. A statement that, as owners of the data, students and parents are responsible for the collection, use, or sharing of student data;
7. A description of how Athlos Academy of Utah may collect, use, and share student data;
8. The statement “The collection, use, and sharing of student data has both benefits and risks. Parents and students should learn about these benefits and risks and make choices regarding student data accordingly”;
9. A description in general terms how Athlos Academy of Utah stores and protects student data; and
10. The student’s rights under the Student Data Protection Act.

H. Athlos Academy of Utah shall reference the document, *Retention Periods of Student Records*, and board rule in accordance with Utah Code §53A-1-1407 for state retention periods of student attendance, discipline, performance, and special education records, among other records.

I. Athlos Academy of Utah shall maintain a metadata dictionary that complies with board rule.

J. Athlos Academy of Utah shall maintain a data governance plan that complies with board rule and that is published annually and available on the school’s website.

K. As the student data manager, the Lead School Administrator or designee shall:

1. Authorize and manage the sharing, outside of Athlos Academy of Utah, of personally identifiable student data from a cumulative record;

2. Act as the primary local point of contact for the state student data officer;

3. Share a student’s personally identifiable student data:

a. With a student’s parent/guardian(s);

b. With the student;

c. With school official;

## Student Records Confidentiality Policy

---

d. With a caseworker or representative of the Department of Health Services or Utah Juvenile Court subject to Utah Code §53A-1-1409(6) and (7);

e. With a third-party contractor to research the effectiveness of a program's implementation or to perform a service or function that an education entity's employees would typically perform;

i. Any third-party contractors using personally identifiable student information under a contract with Athlos Academy of Utah shall abide by FERPA and Utah Code §53A-1-1410.

f. In response to a subpoena issued by a court;

g. In accordance with *Student Policy 5108 – Student Directory Information*; or

h. In accordance with *Community Relations Policy 8009 – External Research Approval*.

### Legal References:

Utah Code § 53A-1-[Part 14 \(Student Data Protection Act\)](#)

[20 U.S.C. 1232g et seq.](#) (FERPA)