

# Notification of Rights under FERPA for Schools

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 Tintic School 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 official 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 the Tintic School District 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 Tintic School 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

See the list below of the disclosures that elementary and secondary schools may make without consent.

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 (FERPA)

## Notice for Directory Information

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. 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, 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. **[Note: These laws are Section 9528 of the ESEA (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).]**

If you do not want Tintic School District 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 Tintic School District in writing by the first day of school. Tintic School District has designated the following information as directory information:

- **Student's name**
- **Address**
- **Telephone listing**
- **Electronic mail address**
- **Photograph**
- **Date and place of birth**
- **Major field of study**

- **Dates of attendance**
- **Grade level**
- **Participation in officially recognized activities and sports**
- **Weight and height of members of athletic teams**
- **Degrees, honors, and awards received**
- **The most recent educational agency or institution attended**
- **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**
- **A student ID number or other unique personal identifier that is displayed on a student ID badge, 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.**

## STUDENT DATA COLLECTION NOTICE

### Necessary Student Data

Necessary student data means data required by state statute or federal law to conduct the regular activities of the school.

- Student Name, Date of birth, and Sex
- Parent and student contact information and Custodial parent information
- A student identification number (including the student's school ID number and the state-assigned student identifier, or SSID)
- Local, state, and national assessment results or an exception from taking a local, state, or national assessment (click [here](#) for more information on assessments)
- Courses taken and completed, credits earned, and other transcript information
- Course grades and grade point average
- Grade level and expected graduation date or graduation cohort
- Degree, diploma, credential attainment, and other school information
- Attendance and mobility
- Drop-out data
- Immunization record or an exception from an immunization record
- Race, Ethnicity, or Tribal affiliation
- Remediation efforts
- An exception from a vision screening required under Section 53G-9-404 or information collected from a vision screening described in Utah Code Section 53G-9-404
- Information related to the Utah Registry of Autism and Development Disabilities (URADD), described in Utah Code Section 26-7-4

- Student injury information
- A disciplinary record created and maintained as described in Utah Code Section 53E-9-306
- Juvenile delinquency records
- English language learner status
- Child find and special education evaluation data related to initiation of an IEP

## Optional Student Data

We may only collect optional student data with written consent from the student's parent or from a student who has turned 18.

- Information related to an IEP or needed to provide special needs services
- Biometric information used to identify the student
- Information required for a student to participate in an optional federal or state program (e.g., information related to applying for free or reduced lunch)

Certain sensitive information on students collected via a psychological or psychiatric examination, test, or treatment, or any survey, analysis, or evaluation will only be collected with parental consent. You will receive a separate consent form in these cases. See our Protection of Pupil Rights Act (PPRA) notice for more information.

## Prohibited Collections

We will not collect a student's social security number or criminal record, except as required by Utah Code Section [78A-6-112\(3\)](#).

## Data Sharing

We will only share student data in accordance with the Family Educational Rights and Privacy Act (FERPA), which generally requires written parental consent before sharing student data. FERPA includes several exceptions to this rule, where we may share student data without parental consent. For more information on third parties receiving student information from us, see our Metadata Dictionary.

Student data will be shared with the Utah State Board of Education via the Utah Transcript and Records Exchange (UTREx). For more information about UTREx and how it is used, please visit the Utah State Board of Education's Information Technology [website](#).

## Benefits, Risks, and Parent Choices

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. Parents are given the following choices regarding student data:

- Choice to **request to review** education records of their children and request an explanation or interpretation of the records (see our annual FERPA notice for more information)

- Choice to **contest the accuracy** of certain records (see our annual FERPA notice for more information), potentially leading to the correction, expungement, or deletion of the record
- Choice to **opt into certain data collections** (see the section above on optional data collections)
- Choice to **opt out of certain data exchanges**
  - Information that has been classified as directory information (see our directory information notice for more information)
  - Parents of students with an IEP may have their information shared with the Utah Registry of Autism and Developmental Disabilities (URADD). If included in this data exchange, parents will receive a separate notice within 30 days of the exchange, informing them of their right to opt out, per [Utah Code Section 53E-9-308\(6\)\(b\)](#)
- Choice to **file a complaint** if you believe the school or its agents are violating your rights under FERPA or Utah’s Student Data Protection Act. If you have a complaint or concern, we recommend starting locally and then escalating to the state and US Department of Education

Your local school district or charter school	Technology Director Email <a href="#">here</a>
The Utah State Board of Education	Report your concern with the <a href="#">USB E hotline</a>
The US Department of Education	Report your concern <a href="#">here</a>

## Storage and Security

In accordance with Board Rule R277-487-3(14), we have adopted a cybersecurity framework called the [CIS Controls](#).