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Student Records
Policy Series: 3000 Students **Policy No. 3200**

9 **Purpose:**

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11 The purpose of this policy is to establish guidelines for the creation, maintenance, access, and
12 protection of student education records. The Board of Education recognizes the importance of
13 safeguarding student information while ensuring that parents, eligible students, and authorized
14 individuals have appropriate access to educational records as permitted by law.

15
16 This policy is intended to protect the privacy and confidentiality of student records, ensure the
17 accuracy and security of educational information, and provide clear procedures for the
18 inspection, disclosure, and amendment of records. The Board is committed to complying with
19 applicable federal and state laws governing student education records while supporting
20 transparency, responsible record management, and the educational interests of students.

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22 Further specificity regarding the Family Education Rights and Privacy Compliance Policy
23 (FERPA) can be found in [Policy 3210](#) which complements the requirements laid out in this
24 policy.

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27 **“Education Records” Defined**

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29 For the purposes of this policy, the term “education records” means those records, files,
30 documents, and other materials that contain information directly related to a student and are
31 maintained by an education agency or institution or by a person acting for such agency or
32 institution.

33
34 The term “education records” does not include:

- 35 1. Records that contain only information about a student after he or she is no longer a
36 student in the District.
- 37
38 2. Records made by District personnel that are kept in the sole possession of the maker
39 and are not accessible or revealed to anyone other than a temporary substitute for the
40 maker of the record.

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3. Records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement.
4. Records relating to an individual who is employed by an educational agency or institution, that:
 - a. Are made and maintained in the normal course of business;
 - b. Relate exclusively to the individual in that individual's capacity as an employee; and
 - c. Are not available for use for any other purpose.
 - i. Records relating to an individual in attendance at the school who is employed as a result of his or her status as a student are education records and not excepted under paragraph (4).
5. Records on a student who is eighteen (18) years of age or older that are:
 - a. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
 - b. Made, maintained, or used only in connection with treatment of the student; and
 - c. Disclosed only to individuals providing the treatment.
 - i. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

Notification of Significant Data Breach

The District shall notify the parent of a student (or the student if the student is an adult) if there is a significant data breach (as defined by the State Board of Education) at the District or a District school.

Student Identification Number

The District may not use a nine-digit number as a student's identification number with the District.

Screening Records

84 The Principal of each school shall maintain records of screening for special senses and
85 communication disorders and spinal screening for each student in the school. Records shall be
86 open for inspection by the state or local health department. Individual screening records may be
87 transferred among schools in accordance with provisions in the section entitled "Access to
88 Education Records" below.

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91 **Immunization Records**

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93 The District shall maintain an individual immunization record during the period of attendance for
94 each student admitted. The records shall be open for inspection at all reasonable times by
95 representatives of local health departments or the Utah Department of Health. The District shall
96 cooperate with other districts in transferring students' immunization records between schools.
97 Specific approval from students, parents, or guardians is not required prior to making such
98 record transfers.

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101 **Assessment Transfers**

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103 The results of individual student performance on basic skills assessment instruments or other
104 achievement tests administered by the District are confidential and may be made available only
105 to the student, the student's parent or guardian, and to the school personnel directly involved
106 with the student's educational program. However, overall student performance data shall be
107 aggregated by school and District and made available to the public, with appropriate
108 interpretations, at regularly scheduled Board meetings. The information may not contain the
109 names or other identifying information of individual students or teachers.

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112 **Academic Achievement Record**

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114 The District shall maintain a student academic achievement record on each student enrolled in
115 the District. This record shall reflect courses of studies completed and shall substantiate the
116 fulfillment of course requirements toward qualifying for high school graduation. A copy of this
117 record shall be furnished to each student transferring to another school district.

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120 **Access to Education Records**

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122 Access to the education records of a student who is or has been in attendance at a school in the
123 District shall be granted to the parent of the student who is a minor or who qualifies as a
124 dependent for tax purposes. "Parent" includes a natural parent, a guardian, or an individual
125 acting as a parent in the absence of a parent or guardian.

126

127 The District shall presume that a parent has authority to inspect and review the student's
128 records unless it has been provided with evidence that there is a court order, state statute, or
129 legally binding document that specifically revokes these rights.

130
131 Except as provided for by [Utah Code § 53E-9-203\(7\)](#), or unless a parent's right of access has
132 been specifically revoked by a state statute, court order, or other legally binding document,
133 schools must provide a parent access to the education records of the parent's student.

134
135 Whenever a student has attained eighteen (18) years of age or is attending an institution of
136 post-secondary education, the rights accorded to, and consent required of, parents transfer from
137 the parents to the student.

138
139 If material in the education record of a student includes information on another student, only the
140 portion of the material relating to the student whose records were requested may be inspected
141 and reviewed.

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144 **Request Procedure**

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146 Upon request of a properly qualified individual, access to a student's education record shall be
147 granted within a reasonable period of time, not to exceed forty-five (45) days. The District shall
148 respond to reasonable requests for explanations and interpretations of the records. **Please see**
149 [Policy 3210 Procedure 1](#) for specific details on requesting a student's record.

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152 **Access by Other Persons**

153

154 Personally identifiable information in education records shall not be released without the written
155 consent of the student's parents, except to the following:

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157 1. School officials, including teachers, who have legitimate educational interests. An
158 administrator or teacher is entitled to access to a student's medical records maintained
159 by the District only if he or she has completed in-service training on HIV infection. In
160 addition, a school employee may only access a student's records if that employee is
161 included on the list of authorized employees and if federal and state privacy laws
162 otherwise authorize the access.

163

164 2. Officials of other schools or school systems in which the student seeks or intends to
165 enroll, provided that the District either:

166

167 a. Includes in its policies a statement that notifies the parent or student that it

168 forwards education records on request of the other school to such officials; or

169 b. Makes a reasonable attempt to notify the parent (unless the record transfer is
initiated by the parent.)

170 i. In either case, the District shall furnish a copy of the transferred records
171 to the parent if requested and give the parent an opportunity for a hearing
172 to challenge the content of the record.

173
174 3. Authorized representatives of the Comptroller General of the United States, the
175 Secretary of Education, or state and local educational authorities who require access to
176 student or other records necessary in connection with the audit and evaluation of federal
177 or state-supported education programs or in connection with the enforcement of or
178 compliance with federal legal requirements that relate to such programs.

179
180 4. Personnel involved with a student's application for, or receipt of, financial aid.

181
182 5. State and local officials to whom such information is specifically required to be reported
183 or disclosed by state statute.

184
185 6. Organizations conducting studies for educational agencies or for the purpose of
186 developing, validating, or administering predictive tests, administering student aid
187 programs, and improving instruction. Such studies must be conducted so that personal
188 identification of students and their parents will not be revealed to persons other than
189 authorized personnel of the organizations conducting the studies. Such information must
190 be destroyed when no longer needed for the original purposes of the studies.

191
192 7. Accrediting organizations that require the information for purposes of accreditation.

193
194 8. Parents of a student who qualifies as a dependent for tax purposes.

195
196 9. Appropriate persons who, in an emergency, must have such information in order to
197 protect the health or safety of the student or other person.

198
199 10. Any person requesting directory information, as defined in local policy, after the District
200 has given public notice of that definition.

201
202 In order for personally identifiable information in education records to be released to any
203 individual, agency, or organization other than to the student and those listed above, written
204 consent must be obtained from the student's parent. Such consent shall specify records to be
205 released, the reason for such release, and to whom the records are to be released. Such
206 information may also be released in compliance with a judicial order or subpoena provided that
207 the District makes a reasonable effort to notify the parent and student of the order or subpoena
208 in advance of compliance. **See [Policy 3210](#) and accompanying procedures for more details
209 regarding the Family Education and Right to Privacy Act.**

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212 **Transfer Not Permitted**
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214 Personal information from student education records shall be transferred to a third party only on
215 the condition that such party will not permit any other party to have access to such information
216 without the written consent of the student's parent.

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219 **Notice of Behavior that may Threaten Safety**

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221 Notwithstanding any other provision of this policy, in the event a student is expelled for a period
222 of more than ten (10) days for use or distribution of alcohol or a controlled substance, or for
223 possession of an incendiary device or firearm, a record stating the cause of expulsion shall be
224 created and provided only to the following persons:

- 225 1. The Principal and Vice-Principal over students in any alternative educational setting
226 where the student will be educated;
- 227
- 228 2. Any teachers of the student in the alternative education placement; and
- 229
- 230 3. Counselors in any school where the student attends who may provide counseling
231 services to the student.

232

233 If appropriate, the record shall also state any appropriate precautions to be observed in the
234 education of the student.

235

236 The Board finds that dissemination of such information to those persons identified is necessary
237 to provide an appropriate and safe education to the student of the District. The District shall not
238 provide copies of such private records to any persons except those identified and the parent or
239 legal guardian of the student without a court order.

240

241 If the student is receiving educational services pursuant to an Individual Education Program,
242 then the record shall be considered by the Individual Education Program Team to determine an
243 appropriate placement in the least restrictive environment consistent with safety and well-being
244 of all students in the District.

245

246 A copy of this policy shall be made available to parents and students upon request.

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249 **Record of Access to Student Record**

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251 Each school shall maintain a record, kept with the education record of each student, that
252 indicates all individuals, agencies, or organizations that have requested or obtained access to a
253 student's education records. The records shall include at least the name of the person or
254 agency that made the request and the legitimate interest the person or agency had in the
255 information. The record will be maintained as long as the District maintains the student's
256 education record. The record of access shall be available only to parents, school officials

257 responsible for custody of the records, and those state, local, and federal officials authorized to
258 audit the operation of the system.

259
260 The record shall not include requests for access by, or access granted to, parents of the student
261 or officials of the District, requests accompanied by prior written consent of the parent, requests
262 for directory information, or a party seeking or receiving the records as directed by a Federal
263 grand jury or other law enforcement subpoena and the issuing court or other issuing agency has
264 ordered that the existence or the contents of the subpoena or the information furnished in
265 response to the subpoena not be disclosed.

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268 **Right to Amend Records**

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270 The parent of a student whose records are covered by this policy may ask the District to amend
271 the student's record if the parent believes it contains information that is inaccurate, misleading,
272 or in violation of the student's right of privacy or other rights. **Specific steps for amending a**
273 **student record can be found in [Policy 3210, Procedure 1 \(FERPA Protocols\)](#)**. If, after a
274 reasonable time, the District decides not to amend the education records requested, it shall
275 inform the parent of its decision and his right to a hearing to challenge the content of the
276 student's education records.

277
278 If the District decides to amend the records as a result of the hearing, it shall inform the parent
279 in writing. If, as a result of the hearing, the District decides not to amend the records, it shall
280 inform the parent of the right to place a statement in the records commenting on the contested
281 information and/or stating why the parent disagrees with the decision of the District. Any
282 explanation shall be maintained with the contested part of the record as long as the record is
283 maintained and shall be disclosed whenever the contested portion of the record is disclosed.

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286 **Restriction on Gender Identity Changes in Student Records**

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288 "Gender identity" has the meaning provided in the Diagnostic and Statistical Manual (DSM-5). A
289 person's gender identity can be shown by providing evidence, including, but not limited to,
290 medical history, care or treatment of the gender identity, consistent and uniform assertion of the
291 gender identity, or other evidence that the gender identity is sincerely held, part of a person's
292 core identity, and not being asserted for an improper purpose. "Sex" means the biological,
293 physical condition of being male or female, determined by an individual's genetics and anatomy
294 at birth. Written parental consent is required to change the gender or gender identity in an
295 education record to a gender or gender identity that does not conform with the student's sex.

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301 **Annual Notification of Rights**

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303 The District shall give parents of in-attendance students or the in-attendance students
304 themselves annual notification of their rights under the Family Educational Rights and Privacy
305 Act of 1974 and of the places where copies of this policy may be located. **More specific**
306 **information and protocols can be found in [Policy 3210](#) and its accompanying procedures that**
307 **outline Family Educational Rights and Privacy Act (FERPA).** The District shall effectively notify
308 parents or eligible students who are disabled. The District shall effectively notify parents who
309 have a primary or home language other than English. The notice must include:

310

- 311 1. The procedure for exercising the right to inspect and review education records.
- 312
- 313 2. The procedure for requesting amendment of records.
- 314
- 315 3. A specification of criteria for determining who constitutes a school official and what
- 316 constitutes a legitimate educational interest.
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Directory of Information

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321 The District may release information if it has given public notice of:

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- 323 1. The types of personally identifiable information that it has designated as directory
- 324 information.
- 325
- 326 2. The right of the parent to refuse to permit the District to designate any or all of that
- 327 information about the student as directory information.
- 328
- 329 3. The period of time within which the parent must notify the District in writing that he or she
- 330 does not want any or all of those types of information about the student designated as
- 331 directory information.
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Directory Information

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336 Directory information may include a student's name, address, telephone listing, email address,
337 photograph, date and place of birth, major field of study, grade level, participation in officially
338 recognized activities and sports, weight and height of members of athletic teams, enrollment
339 status, dates of attendance, degrees, honors, and awards received, and the most recent
340 previous school attended by a student.

341

342 Directory information shall be released to any individual or organization that files a written
343 request with the Superintendent or designee.

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345 **Fee for Copies**

346

347 No fee shall be charged to search for or to retrieve the education records of a student. A
348 **minimal** fee may be charged for copies of education records that are made for the parents or
349 students under this policy provided that the fee does not effectively prevent them from
350 exercising their right to inspect and review those records. Hardship cases shall be dealt with on
351 an individual basis.

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354 **Records of Students With Disabilities**

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356 The District shall permit parents to inspect and review education records collected, maintained,
357 or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

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360 **Access Rights**

361

362 In addition to policies applicable to all student records (Policy 3210 and accompanying
363 procedures) the following guidelines shall apply when parents of a student with a disability
364 request to review or inspect District records relating to the education of their child:

365

366 Parents may request that a representative inspect and review the records.

367

368 The District shall comply with a ~~requested request~~ **request to access student records** without
369 unnecessary delay and before any meeting regarding an individual education plan (IEP) or
370 hearing relating to the identification, evaluation, or placement of the child.

371

372 The District shall keep a record of persons obtaining access to these student records (except
373 access by parents and authorized employees) including name, date of access, and the purpose
374 for which the person is authorized to use the records.

375

376

377 **Parental Consent**

378

379 Parental consent must be obtained before personally identifiable information is used for any
380 purpose other than meeting a requirement under the Individuals with Disabilities Education Act
381 (IDEA) or disclosed to anyone other than officials of agencies collecting or using this
382 information. The District may not release information from these records without parental
383 consent except as provided in the Family Educational Rights and Privacy Act (FERPA) and
384 Policy 3210.

385

386 No student shall be required without parental consent to submit to psychiatric examination,
387 testing or treatment of which the purpose or effect is to reveal information concerning:

388

- 389 1. political affiliations or philosophies (except as provided in [Policy 4340](#));
- 390 2. mental or psychological problems;
- 391 3. sexual behavior, orientation, gender identity, and/or attitudes;
- 392 4. illegal, anti-social, self-incriminating or demeaning behavior;
- 393 5. critical appraisals of close family members;
- 394 6. any legally privileged information;
- 395 7. income (except as required to receive financial assistance or fee waivers); and
- 396 8. religious affiliations or beliefs.

397
398 The parent shall be notified in writing of the means and purposes of the testing and the
399 person(s) doing the testing at least two weeks, but not more than five months, before
400 information protected by this policy is sought. This written notice must include the survey to be
401 administered, the intended purposes and uses of the data collected, the types of persons or
402 governmental entities that share the data (including a list of recipients of student-level data) or
403 receive the data on a regular or contractual basis, and (if applicable), the record series in which
404 the data is or will be included.

405
406 The school may not provide either a reward or a consequence to a student for participation or
407 lack of participation in any such psychiatric examination, testing, treatment, survey, analysis, or
408 evaluation. (See specific protocols in [Policy 3210, Procedure 2.](#))

409
410 The data collected through an authorized test or survey is a private record which may not be
411 shared except in accordance with the Family Educational Rights and Privacy Act ("FERPA").

412 413 414 **Confidentiality**

415
416 The District shall protect the confidentiality of personally identifiable information in collection,
417 storage, disclosure, and destruction of records. One official in the District shall assume
418 responsibility for ensuring confidentiality of personally identifiable information. All persons
419 collecting or using this information shall receive training or instruction concerning the legal
420 requirements involved in handling these records. The District shall maintain for public inspection
421 a current listing of the names and positions of employees who may have access to this
422 information.

423 424 425 **Destruction of Information**

426
427 The District shall inform parents when personally identifiable information pertaining to education
428 of students with disabilities is no longer needed to provide educational services to the student.
429 Such information shall be destroyed on request of the parent. A permanent record of the
430 student's name, address, and phone number, grades, attendance record, classes attended,
431 grade level completed, and year completed may be maintained for up to 5 years.

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Comprehensive System

The Superintendent shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school personnel.

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for non-enrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent.

Custodian of Records

The Principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of records for students who have withdrawn or graduated. ~~Addresses of all District schools as well as the Superintendent's business address will be made available on the District's website. The student handbook distributed annually to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.~~

Types and Locations of Records

Each record custodian, at the location listed on the District and school website shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluation.
4. Health services records, including:
 - a. The results of any tuberculin tests administered by the District.
 - b. The findings of screening or health appraisal programs the District conducts or provides.

- 477 c. Information and follow-up to ensure that parents have been notified of identified
478 problems and of how they can obtain needed services for the students.
479 d. Immunization records.
- 480
- 481 5. Attendance records.
- 482
- 483 6. Student questionnaires.
- 484
- 485 7. Records of teacher, counselors or administrative conferences with the student or
486 pertaining to the student.
- 487
- 488 8. Verified reports of serious or recurrent behavior patterns.
- 489
- 490 9. Copies of correspondence with parents and others concerned with the student.
- 491
- 492 10. Records transferred from other districts the student has been enrolled in.
- 493
- 494 11. Records pertaining to participation in extracurricular activities.
- 495
- 496 12. Information relating to student participation in special programs.
- 497
- 498 13. Records of fees assessed and paid.
- 499
- 500 14. Other records that may contribute to an understanding of the student.

503 **Request Procedures**

504

505 **A student's** cumulative record shall be made available to the parent. Records may be reviewed
506 during regular school hours upon written request to the record custodian. The record custodian
507 or designee shall be present to explain the record and to answer questions. The confidential
508 nature of the student's records shall be maintained at all times, and the records shall be
509 restricted to use only in the Superintendent's, Principal's, or counselor's office, or other
510 restricted area designated by the record custodian. The original copy of the record or any
511 document contained in the cumulative record shall not be removed from the school. **Please**
512 **reference Policy 3210, Procedure 1, Section 3: Requests to Review Student Records for more**
513 **specific information and assistance.**

516 **Student Rights**

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518 Whenever a student has attained eighteen (18) years of age or is attending an institution of
519 post-secondary education, the rights accorded to, and consent required of, parents transfer from
520 the parents to the student.

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Access by School Officials

For the purposes of this policy, “school officials” shall mean any employees, trustees, or agents of the District, of cooperatives of which the District is a member, or of facilities with which the District contracts for placement of students with disabilities. The term also includes attorneys, consultants, and independent contractors who are retained by the District, by cooperatives of which the District is a member, or by facilities with which the District contracts for placement of students with disabilities.

School officials have a “legitimate educational interest” in a student’s records when they are working with the student, considering disciplinary or academic actions, or developing a handicapped student’s individual education plan; compiling statistical data; or investigating or evaluating programs.

Access by School Employees

Each school within the District shall create and maintain a list that includes the name and position of each school employee who is authorized to have access to student education records. This list shall be provided to the Board of Education and whenever the list is updated the updated list shall be provided to the Board of Education.

Each person included on the list of employees authorized to have access to student education records shall complete training on student privacy laws and upon completion of such training shall sign a statement certifying that the employee completed the training and that the employee understands student privacy requirements. Each employee training certification statement shall be provided to the Board of Education.

Unless written consent has been given by the student’s parent (or the student if over 18 years of age) the school may only share student education records with or allow access to such records by those school employees included on the list of employees authorized to access student education records.

Access by Parents

Parents may be denied copies of records after the student reaches age eighteen (18) and no longer qualifies as a dependent for tax purposes, when the student is attending an institution of post-secondary education, or if the parents fail to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record shall be provided at no charge.

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Transcripts and Transfers of Records

A school shall request a certified copy of a transfer student’s record, directly from the transfer student’s previous school, within fourteen (14) days after enrolling the transfer student unless the student is a military child (see below).

The District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll within thirty (30) school days of the request, unless the student is a military child (see below).

Military Child’s Records

If the parent or legal guardian of a military child requests an official education record and the school is unable to release the official education record, the school shall provide the parent or guardian of the military child with an unofficial education record.

If a school requires an official education record in order to enroll a student, the school shall enroll and appropriately place a military child based on information in an unofficial record pending validation by an official record.

A school that enrolls a military child shall request a certified copy of a military child's official education record, directly from the military child's previous school, simultaneously with enrolling the military child.

If a school receives a request to forward a certified copy of a military child's official education record, the school shall comply within ten (10) days of the request.

“Military child” means a child enrolled in kindergarten through grade 12 who is in the household of an active duty service member. (An “active duty service member” is an individual on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders.

Records of a Missing Child

Upon notification by the Criminal Investigations and Technical Services Division of the Department of Public Safety (“division”) of a missing child, the school in which that child is currently or was previously enrolled shall flag the record of that child in a manner that whenever a copy of or information regarding the record is requested, the school is alerted to the fact that the record is that of a missing child.

609
610 The school shall immediately report any request concerning flagged records or knowledge as to
611 the whereabouts of any missing child to the division. The school may not forward the record to
612 the new school.

613
614 Upon notification by the division that a missing child has been recovered, the school shall
615 remove the flag from that child's record.

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618 **The Records Responsibility for Students with Disabilities**

619
620 The official responsible for ensuring the confidentiality of any personally identifiable information
621 in student records for those students with disabilities shall be the Superintendent or designee.

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623 A current listing of names and positions of persons who have access to student records for
624 those students with disabilities is maintained at the office of the Superintendent or designee.

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627 **Procedure to Amend**

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629 Within fifteen (15) school days of the record custodian's receipt of a request to amend records,
630 the District shall notify the parents in writing of its decision on the request and, if the request is
631 denied, of their right to a hearing. If a hearing is requested, it shall be held within ten school
632 days after the request is received. Parents shall be notified in advance of the date, time, and
633 place of the hearing.

634
635 An administrator who is not responsible for the contested records and who does not have a
636 direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be
637 given a full and fair opportunity to present evidence, and at their own expense, may be assisted
638 or represented at the hearing. The parents shall be notified of the decision in writing within ten
639 school days of the hearing. The decision shall be based solely on the evidence presented at the
640 hearing and shall include a summary of the evidence and reasons for the decision. If the
641 decision is to deny the request, the parents shall be informed that they have 30 school days
642 within which to exercise their right to place in the record a statement commenting on the
643 contested information and/or stating any reason for disagreeing with the District's decision.

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646 **Notice of Parent and Student Rights**

647
648 The Provo City School District maintains general education records required by law ([Policy](#)
649 [3210](#)). A student's school records are private and are protected from unauthorized inspection or
650 use. A cumulative record is maintained for each student from the time the student enters the
651 District until the student withdraws or graduates. This record moves with the student from school
652 to school.

653

654 By law, both parents, whether married, separated, or divorced, have access to the records of a
655 student who is a minor or a dependent for tax purposes, as do students who are eighteen (18)
656 years of age or older. A parent whose rights have been legally terminated will be denied access
657 to the records if the school is given a copy of the court order terminating these rights.

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659 The Principal is custodian of all records for currently enrolled students at the assigned school.
660 The Superintendent is the custodian of all records for students who have withdrawn or
661 graduated. Records may be reviewed during regular school hours. The record custodian or
662 designee will respond to reasonable requests for explanation and interpretation of the records.
663 The address of the Superintendent's office is: 280 West 940 North Provo, UT 84604

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665 The addresses of the school principals can be found on our website or by contacting either the
666 Assistant Superintendent over Elementary Education or the Assistant Superintendent over
667 Secondary Education.

668

669 Parents of a minor or a student who is a dependent for tax purposes, the student (if 18 or older),
670 and school officials with legitimate educational interests are the only persons who have general
671 access to a student's records. "School officials with legitimate educational interests" include any
672 employees, agents, or Board Members of the District, or of cooperatives of which the District is
673 a member, or of facilities with which the District contracts for placement of students with
674 disabilities, as well as their attorneys and consultants, who are (1) working with the student; (2)
675 considering disciplinary or academic actions, the student's case, or a student's individual
676 education plan; (3) compiling statistical data; or (4) investigating or evaluating programs.

677

678 Certain other officials from various governmental agencies may have limited access to the
679 records. The District forwards a student's records on request to a school in which a student
680 seeks or intends to enroll without the necessity of the parent's permission. Parental consent is
681 required to release the records to anyone else. When the student reaches eighteen (18) years
682 of age, he or she has the right to consent to release of records transfers to the student.

683

684 The parent's or student's right of access to, and copies of, student records does not extend to
685 all records. Materials such as, but not limited to, teachers' personal notes on a student that are
686 shared only with a substitute teacher and records on former students do not have to be made
687 available to the parents or students.

688

689 Students over eighteen (18) and parents of minor students may inspect the student's records
690 and request a correction if the records are inaccurate, misleading, or otherwise in violation of
691 the student's privacy or other rights. If the District refuses the request to amend the records, the
692 requestor has the right to a hearing. If the records are not amended as a result of the hearing,
693 the requestor has 30 school days to exercise the right to place a statement commenting on the
694 information in the student's record. Although improperly recorded grades may be challenged,
695 parents and students are not allowed to contest a student's grade in a course through this
696 process. Parents or students have the right to file a complaint with the U.S. Department of

697 Education if they feel that the District is not in compliance with the law regarding student
698 records.

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700 Copies of student records are available at a minimal cost, payable in advance. Parents may be
701 denied copies of student's records (1) after the student reaches age eighteen (18) and is no
702 longer a dependent for tax purposes; (2) when the student is attending an institution of post-
703 secondary education; or (3) if the parent fails to follow proper procedures and pay the copying
704 charge. If the student qualifies for free or reduced-price lunches and the parents are unable to
705 view the records during regular school hours, upon written request of the parent, one copy of
706 the record will be provided at no charge.

707
708 ~~Certain information about District students is considered directory information. This information
709 will be released to anyone who follows procedures for requesting it, unless the parent objects to
710 the release of any or all directory information about his child. In connection with receiving
711 federal funding, the District is also required by law to provide requesting military recruiters with
712 secondary student names, addresses and telephone numbers unless the parent objects to the
713 release of that information. (The same objection may be used for both general directory
714 information release and release to military recruiters.) This objection must be made in writing to
715 the Principal within ten school days after the issuance of this notice. Directory information
716 includes: a student's name, address, telephone listing, email address, photograph, date and
717 place of birth, major field of study, grade level, participation in officially recognized activities and
718 sports, weight and height of members of athletic teams, enrollment status, dates of attendance,
719 degrees, honors, and awards received, and most recent previous school attended.~~

720
721 ~~Certain student information is designated as directory information and may be released upon
722 request unless a parent designates that they do not want this information shared. The District is
723 also required to provide secondary students' names, addresses, and telephone numbers to
724 military recruiters upon request unless a parent objects. Parents will be given an opportunity to
725 provide permission for this information to be shared during the online registration process.~~

726
727 ~~Directory information includes a student's name, contact information, photograph, date and
728 place of birth, field of study, grade level, participation in activities and sports, physical
729 measurements of athletes, enrollment status, attendance dates, degrees, honors, awards, and
730 most recent school attended.~~

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732 ~~The District's complete policy regarding student records is available on the district website.
733 from the Principal's or Superintendent's office.~~

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735

736 **Legal References**

737 [20 U.S.C. § 1232g](#)

738 [34 CFR § 99.3](#)

739 [Utah Code § 53E-9-202 \(2019\)](#)

740 [Utah Code § 53E-9-204\(1\) \(2019\)](#)

741 [Utah Code § 53E-9-304\(2\) \(2020\)](#)

742 [Utah Code § 63G-15-201 \(2012\)](#)
743 [20 U.S.C. § 1232g](#)
744 [34 CFR § 99.3](#)
745 [Utah Code § 53E-9-205 \(2023\)](#)
746 [34 CFR § 99.4](#)
747 [Utah Code § 53E-9-205\(2\) \(2023\)](#)
748 [34 CFR § 99.5\(a\)\(1\)](#)
749 [34 CFR § 99.3](#)
750 [34 CFR § 99.12\(a\)](#)
751 [34 CFR § 99.10](#)
752 [Utah Code § 53E-9-204\(4\)\(a\) \(2019\)](#)
753 [34 CFR § 99.31](#)
754 [34 CFR § 99.35](#)
755 [34 CFR § 99.31](#)
756 [34 CFR § 99.37](#)
757 [34 CFR § 99.31](#)
758 [20 U.S.C. § 1232g](#)
759 [34 CFR § 99.20](#)
760 [34 CFR § 99.21](#)
761 [Utah Code § 53E-9-205 \(2023\)](#)
762 [20 U.S.C. § 1232g\(e\)](#)
763 [34 CFR § 99.7](#)
764 [34 CFR § 99.37](#)
765 [20 U.S.C. § 1232g](#)
766 [34 CFR § 99.3](#)
767 [20 U.S.C. § 1232g](#)
768 [34 CFR § 99.11](#)
769 [34 CFR § 300.501\(a\)](#)
770 [State Board of Education Special Education Rules IV.A.1](#)
771 [34 CFR § 300.613\(b\)\(3\)](#)
772 [State Board of Education Special Education Rules IV.V.5](#)
773 [34 CFR § 300.613\(a\)](#)
774 [State Board of Education Special Education Rules IV.V.5](#)
775 [34 CFR § 300.614](#)
776 [State Board of Education Special Education Rules IV.V.6](#)
777 [34 CFR § 300.622](#)
778 [20 U.S.C. § 1232h](#)
779 [Utah Code § 53E-9-203 \(2024\)](#)
780 [34 CFR § 300.623](#)
781 [34 CFR § 300.624](#)
782 [34 CFR § 99.5\(a\)\(1\)](#)
783 [34 CFR § 99.3](#)
784 [34 CFR § 300.625](#)
785 [Utah Code § 53E-9-204\(4\)\(b\)\(ii\) \(2019\)](#)
786 [34 CFR § 300.622\(b\)\(1\)](#)
787 [Utah Code § 53E-9-204 \(2019\)](#)
788 [Utah Code § 53G-6-604 \(2018\)](#)
789 [Utah Code § 53E-3-903\(1\) \(2019\)](#)
790 [Utah Code § 53E-3-905\(1\), \(2\) \(2018\)](#)

791 [Family Education Rights and Privacy Act, 20 U.S.C. § 1232g](#)
792 [20 U.S.C. § 1232g\(e\)](#)
793 [Utah Code § 53E-9-202\(2\) \(2019\)](#)
794 [20 U.S.C. § 7908](#)

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