

The documents on the following three pages are required annual notices of the rights of parents under federal and state law in regards to the information in a student's records and a student's privacy rights. The documents outline processes for accessing and correcting information in a student's record, circumstances when the District or school is required to obtain parent consent before releasing information from a student's record, and requirements for protecting a student's rights in regards to surveys, marketing, and certain physical exams. In some circumstances (and following the processes described in the notifications), parents and guardians have the right to opt out of the release of information from their student's files.

All rights listed in these documents as belonging to parents or guardians transfer to the student at age 18.

Questions or concerns may be directed to the school principal or to Planning & Enrollment in the Student Services Department at 801-567-8183.

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 enti-

ties 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

Directory information

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

Purpose of directory information

The primary purpose of directory information is to allow the 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.

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 the 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 your school's principal in writing by the 14th day of the school year.

What information is designated directory information?

The District 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

Protection of Pupil Rights Amendment (PPRA) Annual Notification

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

Consent before any psychological or psychiatric examination, test, treatment, survey, analysis, or evaluation concerning certain protected areas (“protected information survey”) is administered to students. The protected areas are defined as information about the student’s or any family member’s:

- Political affiliations or political philosophies;
- Mental or psychological problems;
- Sexual behavior, orientation, or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of individuals with whom the student or family member has close family relationships;
- Legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers;
- Religious affiliations or beliefs; and
- Income, except as required by law.

Exception:

- Risk of harming self or others. School employees may intervene and ask a student questions regarding the student’s suicidal thoughts, physically self-harming behavior, or thoughts of harming others if the employee believes a student is at-risk of attempting suicide, physical self-harm, or harming others. Afterwards the employee must inform the student’s parent.

Receive notice and an opportunity to opt a student out of –

- Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
- Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

Inspect, upon request and before administration or use –

- Protected information surveys of students and surveys created by a third party;
- Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- Instructional material used as part of the educational curriculum.

The rights pertaining to non-emergency invasive physical exams, third-party surveys, or marketing surveys transfer from the parents to a student who is 18 years old or an emancipated minor under State law. The rights pertaining to protected information surveys remain the rights of the parent for any K-12 student, regardless of age.

Jordan School District has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution (“marketing surveys”).
 - Parents will be provided reasonable notification and provided an opportunity to opt their child out. Parents will also be provided an opportunity to review the survey.
- Marketing surveys scheduled for this school year:
 - No anticipated surveys this year.
- Administration of any protected information survey not funded in whole or in part by ED.
 - Parents will be notified and provided an opportunity to give written consent at least 2 weeks prior to administration of the survey. Parents will also be provided an opportunity to review the survey prior to administration.
 - Protected information surveys scheduled for this school year:
 - The District will participate in the SHARP Survey (the Student Health and Risk Prevention Statewide Survey), a survey given every two years to Utah students. The survey will be administered to students in grades 6, 8, 9, 10, 11, and 12. The current anticipated window for administering the survey is February to April 2023 with specific times varying by school.
- Any non-emergency, invasive physical examination or screening as described above.
 - Parents will be provided reasonable notification and provided an opportunity to opt their child out.
 - Non-emergency, invasive surveys as described above scheduled for this school year:
 - No anticipated activities or surveys.

Parents who believe their rights have been violated may file a complaint with:

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