



## Confidentiality Policy

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### **I. Board Policy**

It is the policy of the Summit Academy Board of Trustees to ensure that confidentiality is at the forefront of all of our operations. Therefore, Summit Academy shall develop resource materials to train employees, aides, and volunteers regarding confidentiality of personally identifiable student information and student performance data, as defined by FERPA.

### **II. Definitions**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- a. Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- b. Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- c. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - i. School officials with legitimate educational interest;
  - ii. Other schools to which a student is transferring;
  - iii. Specified officials for audit or evaluation purposes;
  - iv. Appropriate parties in connection with financial aid to a student;
  - v. Organizations conducting certain studies for or on behalf of the school;
  - vi. Accrediting organizations;
  - vii. To comply with a judicial order or lawfully issued subpoena;
  - viii. Appropriate officials in cases of health and



- ix. State and local authorities, within a juvenile justice system, pursuant to specific State law.

Summit Academy may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, Summit Academy must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that Summit Academy not disclose directory information about them. Summit Academy must notify parents and eligible students annually of their rights under FERPA.

### **III. Guidelines**

- A. Summit Academy shall ensure that school enrollment verification data, student performance data and personally identifiable student information is collected, maintained, and transmitted in a secure manner and consistent with sound data collection and storage procedures.
- B. All public education employees, aides, and volunteers shall maintain appropriate confidentiality pursuant to federal, state, local laws, and LEA policies created in accordance with this section, with regard to student performance data and personally identifiable student information.
- C. An employee, aide, or volunteer may not share, disclose, or disseminate passwords for electronic maintenance of:
  - i. Student performance data; or
  - ii. Personally identifiable student information.
  - iii. A public education employee licensed under **Section 53A-6-104** may access or use student information and records if the public education employee accesses the student information or records consistent with **R277-515**, Utah Educator Standards.