POLICY 5100

Student Records

A. Definition/Types

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

2. The term “education records” does not include:

   a. Records that contain only information about a student after he or she is no longer a student in the District.

   b. Records made by District personnel that are kept in the sole possession of the maker and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.

   c. 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.

   d. Records relating to an individual who is employed by an educational agency or institution, that:

      1) Are made and maintained in the normal course of business;

      2) Relate exclusively to the individual in that individual's capacity as an employee; and

      3) Are not available for use for any other purpose.

         a) 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 (d).

   e. Records on a student who is eighteen (18) years of age or older that are:

1) 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;

2) Made, maintained, or used only in connection with treatment of the student; and

3) Disclosed only to individuals providing the treatment.

a) 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.

20 U.S.C. § 1232g
34 CFR § 99.3
Utah Code § 53E-9-202 (2019)
Utah Code § 53E-9-204(1) (2019)

B. “Educational data” Defined

1. “Educational data” means a student’s:

a. Transcript data;

b. Enrollment information;

c. Course history; and

d. Academic credentials

2. Educational data is a subset of education records (“education records” includes all educational data but also includes other records which are not educational data).

Utah Code § 53E-9-311(1) (2026)

C. Notification of Significant Data Breach

1. 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.

Utah Code § 53E-9-304(2) (2020)

D. Student Identification Number

1. The District shall notify the parent of a student if there is a release of the student's personally identifiable student data due to a security breach.

   Utah Code § 53E-9-304(2) (2019)

2. The District will not use a social security number as a student's identification number with the District.

   Utah Code § 63G-15-201 (2012)

E. Screening Records

1. The principal of each school shall maintain records of screening for special senses and communication disorders and spinal screening for each student in the school. Records shall be open for inspection by the state or local health department. Individual screening records may be transferred among schools in accordance with provisions below concerning ACCESS BY OTHER PERSONS.

   20 U.S.C. § 1232g

F. Immunization Records

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

G. Assessment Transfers

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

H. Academic Achievement Record

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

I. Access to Education Records

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

   34 CFR § 99.3
   Utah Code § 53E-9-205 (2023)
   Utah Code § 53E-9-311(2) (2026)

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

   34 CFR § 99.4

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

   Utah Code § 53E-9-205(2) (2023)

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

   34 CFR § 99.5 (a)(1)
   34 CFR § 99.3
   Utah Code § 53E-9-311(2) (2026)

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

34 CFR § 99.12(a)

J. Request Procedure

1. Upon request of a properly qualified individual, access to a student's education record shall be granted within a reasonable period of time, not to exceed forty-five (45) days. The District shall respond to reasonable requests for explanations and interpretations of the records.

   34 CFR § 99.10

K. Access by Other Persons

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

   a. School officials including teachers who have legitimate educational interests. ~~An administrator or teacher is entitled to access to a student's medical records maintained by the District only if he or she has completed in-service training.~~

      1) In addition, a school employee may only access a student's records if that employee is included on the list of authorized employees and if federal and state privacy laws otherwise authorize the access.

         Utah Code § 53E-9-204(4)(a) (2019)

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

      1) Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or

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

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

   c. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and

evaluation of federal or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs.

34 CFR § 99.31
34 CFR § 99.35

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

e. State and local officials to whom such information is specifically required to be reported or disclosed by state statute.

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

g. Accrediting organizations that require the information for purposes of accreditation.

h. Parents of a student who qualifies as a dependent for tax purposes.

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

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

34 CFR § 99.31
34 CFR § 99.37

2. In order for personally identifiable information in education records to be released to any individual, agency, or organization other than to the student and those listed above, written consent must be obtained from the student's parent. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released. Such information may also be released in compliance with a judicial order or subpoena provided that the District makes a reasonable effort to notify the parent and student of the order or subpoena in advance of compliance.

34 CFR § 99.31

L. Access to Educational Data

1. "Informed consent" means voluntary, affirmative, written authorization for disclosure of educational data complying with the requirements of FERPA that is provided by an individual after the individual is presented, in a clear manner, with sufficient information to reasonably understand:

   a. the educational data that is subject to access or disclosure;

   b. the purpose of the disclosure of the educational data;

   c. the recipient of the educational data disclosure;

   d. that the individual has the right to revoke consent of disclosure of the educational data at any time;

   e. the scope and duration of the authorization to disclose the educational data; and

   f. whether consent is a condition of the student's participation in any educational program or activity.

   Utah Code § 53E-9-311(1) (2026)
   Utah Code § 53H-7-1001(2) (2026)

2. The District will provide access to educational data to a parent or student consistent with the provisions of this policy that apply to education records.

   Utah Code § 53E-9-311(2) (2026)

3. Other than as permitted above under "Access by Other Persons," the District will disclose a student's educational data to a third party only with the informed consent of the student's parent (or the student if the student is 18 years of age or older), according to the terms of the document giving the informed consent, and subject to the third party's agreement to use the data only as provided in the consent document and to not redisclose the data to any other party.

   Utah Code § 53E-9-311(9) (2026)

4. The District may not deny, delay, or restrict the ability to grant informed consent, nor may the District require the waiver of unrelated rights or agreement to unrelated terms as a condition of granting informed consent. This means that the District may not restrict the parent or student's right to access educational data, prevent the

parent or student from requesting renewed access, or limit the parent or student's ability to provide informed consent for disclosure of educational data.

Utah Code § 53E-9-311(5) (2026)

5. Beginning July 1, 2027, the District will offer a secure digital or electronic mechanism as the primary method for obtaining informed consent and will also allow informed consent in written form if a digital or electronic method is not reasonably available to the parent or student. The District may impose reasonable time-based or session-based limitations on a parent or student's technical method of access to educational data. When obtaining consent through the digital or electronic mechanism, the District will allow the parent or student to review all consent information before authorization, will not bundle unrelated terms or conditions with the consent request, will clearly disclose any time-based or session limitations at the time access is granted, and will provide a reasonable mechanism that allows the parent or student to re-access educational data after the expiration of the limitation.

Utah Code § 53E-9-311(3), (4) (2026)

M. Transfer Not Permitted

1. Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent.

N. Notice of Behavior that may Threaten Safety

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

   a. The principal and vice-principal over students in any alternative educational setting where the student will be educated;

   b. Any teachers of the student in the alternative education placement; and

   c. Counselors in any school where the student attends who may provide counseling services to the student.

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

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

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

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

O. Record of Access to Student Record

1. Each school shall maintain a record, kept with the education record of each student that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records. The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as the District maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

   20 U.S.C. § 1232g

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

   34 CFR § 99.32

P. Right to Amend Records

1. The parent of a student whose records are covered by this policy may ask the District to amend the student's record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If, after a reasonable time, the District decides not to amend the education

records requested, it shall inform the parent of its decision and his right to a hearing to challenge the content of the student's education records.

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

34 CFR § 99.20
34 CFR § 99.21

Q. Restriction on Gender Identity Changes in Student Records

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

Utah Code § 53E-9-205 (2023)

R. Annual Notification of Rights

1. The District shall give parents of in-attendance students or the in-attendance students themselves annual notification of their rights under the Family Educational Rights and Privacy Act of 1974 and of the places where copies of this policy may be located. The District shall effectively notify parents or eligible students who are disabled. The District shall effectively notify parents who have a primary or home language other than English. The notice must include:

   a. The procedure for exercising the right to inspect and review education records.

   b. The procedure for requesting amendment of records.

   c. A specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

20 U.S.C. § 1232g(e)
34 CFR § 99.7

S. Directory of Information

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

2. The types of personally identifiable information that it has designated as directory information.

3. The right of the parent to refuse to permit the District to designate any or all of that information about the student as directory information.

4. The period of time within which the parent must notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information.

34 FR § 99.37

T. Directory Information

1. Directory information may include a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, and the most recent previous school attended by a student.

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

20 U.S.C. § 1232g
34 CFR § 99.3

U. Fee for Copies

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

20 U.S.C. § 1232g
34 CFR § 99.11

V. Records of Students with Disabilities

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

   34 CFR § 300.501(a)
   State Board of Education Special Education Rules IV.A.1

W. Access Rights

1. In addition to policies applicable to all student records, the following guidelines shall apply when parents request to review or inspect District records relating to the education of their child:

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

   34 CFR § 300.613(b)(3)
   State Board of Education Special Education Rules IV.V.5

3. The District shall comply to requests without unnecessary delay and before any meeting regarding an individual education plan (IEP) or hearing relating to the identification, evaluation, or placement of the child.

   34 CFR § 300.613(a)
   State Board of Education Special Education Rules IV.V.5

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

   34 CFR § 300.614
   State Board of Education Special Education Rules IV.V.6

X. Parental Consent

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

34 CFR § 300.622

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

   a. political affiliations or philosophies (except as provided in Policy 4066 Curriculum: Religious Neutrality);

   b. mental or psychological problems;

   c. sexual behavior, orientation, gender identity, and/or attitudes;

   d. illegal, anti-social, self-incriminating or demeaning behavior;

   e. critical appraisals of close family members;

   f. any legally privileged information;

   g. income (except as required to receive financial assistance or fee waivers); and

   h. religious affiliations or beliefs.

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

4. The school may not provide either a reward or a consequence to a student for participation or lack of participation in any such psychiatric examination, testing, treatment, survey, analysis, or evaluation.

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

   20 USC § 1232h
   Utah Code § 53E-9-203 (2024)

Y. Confidentiality

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

   34 CFR § 300.623

Z. Destruction of Information

1. The District shall inform parents when personally identifiable information pertaining to students with disabilities education is no longer needed to provide educational services to the student. Such information shall be destroyed on request of the parent. A permanent record of the student's name, address, and phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limit.

   34 CFR § 300.624

AA. Comprehensive System

1. 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.

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

3. 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.

BB. Custodian of Records

1. 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. 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.

CC. Types and Locations of Records

1. Each record custodian, at the location listed in the student handbook, shall be responsible for the education records of the District. These records may include:

    a. Admissions data, personal and family data, including certification of date of birth.

    b. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.

    c. All achievement records, as determined by tests, recorded grades, and teacher evaluation.

    d. Health services records, including:

        1) The results of any tuberculin tests administered by the District.

        2) The findings of screening or health appraisal programs the District conducts or provides.

        3) Information and follow-up to ensure that parents have been notified of identified problems and of how they can obtain needed services for the students.

        4) Immunization records.

        5) Attendance records.

        6) Student questionnaires.

        7) Records of teacher, counselors or administrative conferences with the student or pertaining to the student.

        8) Verified reports of serious or recurrent behavior patterns.

        9) Copies of correspondence with parents and others concerned with the student.

        10) Records transferred from other districts the student has been enrolled in.

11) Records pertaining to participation in extracurricular activities.

12) Information relating to student participation in special programs.

13) Records of fees assessed and paid.

14) Other records that may contribute to an understanding of the student.

DD. Request Procedures

1. The cumulative record shall be made available to the parent. Records may be reviewed during regular school hours upon written request to the record custodian. The record custodian or designee shall be present to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and the records shall be restricted to use only in the Superintendent's, principal's, or counselor's office, or other restricted area designated by the record custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

EE. Student Rights

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

   34 CFR § 99.5(a)(1)
   34 CFR § 99.3
   34 CFR § 300.625
   Utah Code § 53E-9-204(4)(b)(ii) (2019)

FF. Access by School Officials

1. 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.

2. 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 student with disabilities' individual education plan; compiling statistical data; or investigating or evaluating programs.

34 CFR § 300.622(b)(1)

GG. Access by Parents

1. 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.

HH. Access by School Employees

1. 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.

2. 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

3. Unless written consent has been given by the student's parent (or the student is 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.

Utah Code § 53E-9-204 (2019)

II. Transcripts and Transfers of Records

1. 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~~ when enrolling the transfer student unless the student is a military child (see below). A student may not be enrolled unless the record from the previous school has been received or the

school administrator or designee has reviewed the data gateway for any safe-school violation, reintegration, or threat assessment relating to the student.

2. 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 five ~~thirty (30)~~ school days of the request, unless the student is a military child (see below) or unless the record has been flagged as being that of a missing child, in which case the copy shall not be forwarded and the school shall notify the Bureau of Criminal Identification of the request. Any knowledge as to the whereabouts of a missing child shall be reported immediately to the Bureau of Criminal Identification. The forwarded record shall include the student's discipline file, including any safe-school violation, reintegration, or threat assessment.

Utah Code § 53G-6-602 (2018)
Utah Code § 53G-6-604 (2026)
Utah Code § 53E-3-905(2) (2018)

JJ. Military Child's Records

1. If the parent 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 of the military child with an unofficial education record.

2. 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.

3. 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.

4. 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.

5. "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.

Utah Code § 53E-3-903(1) (2019)
Utah Code § 53E-3-905(1), (2) (2018)

KK. Records of a Missing Child

1. 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.

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

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

   Utah Code § 53G-6-602 (2018)

LL. The Records Responsibility for Students with Disabilities

1. The official responsible for ensuring the confidentiality of any personally identifiable information in student with disabilities records shall be the Superintendent.

2. A current listing of names and positions of persons who have access to student with disabilities records is maintained at the office of the Superintendent.

MM. Procedure to Amend

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

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

NN. Notice of Parent and Student Rights

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g

1. The Box Elder School District maintains general education records required by law. A student's school records are private and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters the District until the student withdraws or graduates. This record moves with the student from school to school.

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

3. The principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of all records for students who have withdrawn or graduated. Records may be reviewed during regular school hours. The record custodian or designee will respond to reasonable requests for explanation and interpretation of the records. The address of the Superintendent's office is: 960 South Main, Brigham City, UT 84302.

4. The addresses of the principals' offices are:
   a. Bear River High School — 1450 S Main, Garland, UT 84312
   b. Bear River Middle School — 300 E 1500 S, Garland, UT 84312
   c. Alice C. Harris Intermediate School — 515 N 800 W, Tremonton, UT 84337
   d. Box Elder High School — 380 S 600 W, Brigham City, UT 84302
   e. Box Elder Middle School — 18 S 500 E, Brigham City, UT 84302
   f. Adele C. Young Intermediate School — 830 Law Dr., Brigham City, UT 84302
   g. Sunrise High School — 230 W 200 S, Brigham City, UT 84302
   h. Century Elementary — 5820 N 4800 W, Bear River City, UT 84301
   i. Discovery Elementary — 820 N 500 W, Brigham City, UT 84302
   j. Fielding Elementary — 50 W Main, Fielding, UT 84311
   k. Garland Elementary — 450 S 100 W, Garland, UT 84312
   l. Golden Spike Elementary — 730 E 300 N, Brigham City, UT 84302
   m. Grouse Creek Elementary and Secondary — 76785 W 11900 N, Grouse Creek, UT 84313
   n. Lake View Elementary — 851 S 200 W, Brigham City, UT 84302
   o. McKinley Elementary — 120 W 500 S, Tremonton, UT 84337
   p. North Park Elementary — 50 E 700 N, Tremonton, UT 84337
   q. Park Valley Elementary and Secondary

		788 Education Dr., Park Valley, UT 84329
r.	Salt Creek Elementary	2900 W 500 N, Tremonton, UT 84337
s.	Snowville Elementary	PO Box 669, Snowville, UT 84336
t.	Three Mile Creek Elementary	2625 S 1050 W, Perry, UT 84302
u.	Willard Elementary	40 W 50 S, Willard, UT 84340

5. Parents of a minor or a student who is a dependent for tax purposes, the student (if 18 or older), and school officials with legitimate educational interests are the only persons who have general access to a student's records. "School officials with legitimate educational interests" include any employees, agents, or Board Members of the District, or of cooperatives of which the District is a member,' or of facilities with which the District contracts for placement of students with disabilities, as well as their attorneys and consultants, who are

   a. working with the student;

   b. considering disciplinary or academic actions, the student's case, or a student with disabilities' individual education plan;

   c. compiling statistical data; or

   d. investigating or evaluating programs.

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

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

8. Students over eighteen (18) and parents of minor students may inspect the student's records and request a correction if the records are inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. If the District refuses the request to amend the records, the requestor has the right to a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the student's record. Although improperly recorded grades may be challenged, parents and students are not allowed to contest a student's grade in a course through this

process. Parents or students have the right to file a complaint with the U.S. Department of Education if they feel that the District is not in compliance with the law regarding student records.

9. Copies of student records are available at the reasonable current rate per page, payable in advance. Parents may be denied copies of student's records (1) after the student reaches age eighteen (18) and is no longer a dependent for tax purposes; (2) when the student is attending an institution of post-secondary education; or (3) if the parent fails 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 will be provided at no charge.

10. Certain information about District students is considered directory information. This information will be released to anyone who follows procedures for requesting it, unless the parent objects to the release of any or all directory information about his child. In connection with receiving federal funding, the District is also required by law to provide requesting military recruiters with secondary student names, addresses and telephone numbers unless the parent objects to the release of that information. (The same objection may be used for both general directory information release and release to military recruiters.) This objection must be made in writing to the principal within ten school days after the issuance of this notice. Directory information includes: a student's name, address, telephone number, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received in school, and most recent previous school attended.

11. The District's complete policy regarding student records is available from the principal's or Superintendent's office.

20 U.S.C. § 1232g(e)
Utah Code § 53E-9-202(2) (2019)
20 U.S.C. § 7908