

553: Rights of Privacy Records Policy

1. Purpose:

This policy sets forth requirements governing the maintenance and dissemination of information relating to students which assures to students and their parents, privacy consistent with the demands of the [Family Rights and Privacy Act of 1974](#).

2. Policy:

This policy applies to all faculty and administrative offices within the school which have the responsibility for the education records of students who are or have been in attendance within St George Academy.

3. Procedure:

3.1. Definitions:

3.1.1. Attendance: Includes but is not limited to attendance in person, attendance by correspondence, attendance remotely or the period during which a student is working under a work-study program.

3.1.2. Directory Information: Includes the following relating to a student: telephone number, date and place of birth, participation in officially recognized activities and sports, dates of attendance, awards received, the most recent previous educational agency or institution attended and other similar information.

3.1.3. Disclosure: Permitting access or the release, transfer or other communication of education records of the student or the personally identifiable information contained therein, orally or in writing, or by electronic means or by any other means to any party.

3.1.4. Education records are those records which are directly related to a student and which are maintained by the school or other administrative offices within the school. Access, unless prohibited by court order of which the school has knowledge, may be provided to custodial and non-custodial parents.

3.1.5. Parent: Includes a parent, a guardian or an individual acting as a parent of a student in the absence of a parent or guardian. The Administration may presume the parent has the authority to exercise the rights inherent in this policy unless the school has been provided evidence that there is a State law or court order governing such matters as divorce, separation or custody, or a legally binding instrument which provides to the contrary.

3.1.6. Personally Identifiable Information (PII): The name of a student, the student's parent or other family member, the address of the student, a personal identifier, such as the student's social

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security number or student number, a list of personal characteristics which would make the student's identity easily traceable, or other information which would make the student's identity easily traceable.

3.1.7. Educational Record: Any information or data recorded in any medium, including, but not limited to, handwriting, print, tapes, film, digital media that contains record of a student's data regarding their education at the school.

3.1.8. Student: Includes any individual enrolled in the school.

3.2. St George Academy Responsibilities

3.2.1. It shall be the responsibility of the SGA Administration to annually notify all parents of students enrolled in the school of their rights as follows:

3.2.1.1. To inspect and review the educational records of students:

3.2.1.2 A statement of the procedure to be followed by a parent or an eligible student who requests to inspect and review the educational records of the student.

3.2.1.3. A description of the circumstances in which the school feels it has a legitimate cause to deny a request for a copy of such records.

3.2.1.4. A listing of the types and locations of educational records maintained by the school.

3.2.2. To be assured that personally identifiable information from the educational records of a student will not be disclosed without prior written consent of the parent of the student or the eligible student except to other school employees including teachers or other educational specialists as authorized by the Administration as having legitimate educational interests,

3.2.2.1. To officials of another school or school system in which the student seeks or intends to enroll.

3.2.2.2. To authorized representatives of the Comptroller General of the United States, the Secretary of Health, Education and Welfare, the Commissioner, the Director of the National Institute of Education or the Assistant Secretary for Education and state education authorities.

3.2.2.3. In connection with financial aid for which a student has applied, or which a student has received if the information was for the purpose of determining the eligibility of the student for financial aid, or if the information was for the purpose of determining the amount of financial aid, or if the information is for the purpose of enforcing the terms or conditions of the financial aid.

3.2.2.4. To states and local officials or authorities to whom information is specifically required to be reported or disclosed pursuant to state statutes adopted prior to November 19, 1974.

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3.2.2.5. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction, provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and that the information will be destroyed when no longer needed for the purpose for which the study was conducted.

3.2.2.6. To accrediting organizations in order to carry out their accrediting functions.

3.2.2.7. To legal parents of a dependent student.

3.2.2.8. To comply with the judicial order or lawfully issued subpoena.

3.2.2.9. To appropriate parties in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

3.2.3. To be assured that a record of disclosures of personally identifiable information for the education records of a student will be maintained and that a parent or an eligible student will be permitted to inspect that record.

3.2.4. To be assured that they may seek the correction of education records of the student through a request to amend the records or a hearing and be permitted to place a statement in the education records of the student as provided.

3.2.5. To have assurance that their written consent will be obtained before disclosing personally identifiable information from the education records of a student other than directory information.

3.2.6. To know where copies of this policy may be obtained.

3.2.7. To file complaints concerning alleged failures by the school to comply with the requirements of this policy.

3.2.8. To have assurance of limitations on redisclosure as follows:

3.2.8.1. On the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student.

3.2.8.2. With the understanding that the information will be redisclosed to other authorized parties provided that the record-keeping requirements are met in respect to each of those parties.

3.2.8.3. That the party to whom a disclosure is made is fully informed of the requirements relative to the limitations of redisclosure.

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3.2.9. To have clearly stated conditions for disclosure of directory information.

3.3. Rights of Students

3.3.1. Age: Whenever a student has attained 18 years of age, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student.

3.3.2. Right to inspect and review educational records: SGA Administration is responsible for the maintenance of student records shall permit the parent of a student or an eligible student who is or has been in attendance at a school within the school to inspect and review the education records of the student. Administrators of the school shall comply with a request within a reasonable period of time but in no case more than 45 days after the request has been made. This right to inspect and review education records includes:

3.3.2.1. This right to a response from the appropriate administrative officials with the school for explanations and interpretations of the records.

3.3.2.2. The presumption by SGA Administration that either parent of the student has authority to inspect and review the education records of the student unless the school official has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as divorce, separation or custody which provides to the contrary.

3.3.3. Right to waive rights: A parent of a student or an eligible student may waive any of their rights under this policy if the waiver is in writing and is signed by the parent or student as appropriate.

3.3.4. Limitations on waivers:

3.3.4.1. The school may not require that a parent of a student or the student to waive their rights under this policy.

3.3.4.2. The Administration may request that a parent of a student or the student waive their rights under this policy.

3.3.4.3. A waiver, once given, may be revoked but the revocation must be in writing.

3.3.4.4. If a parent of a student executes a waiver under this policy, that waiver may be revoked by the student at any time after they become an eligible student.

3.3.5. Requests to amend education records:

3.3.5.1. The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate or misleading or violates the privacy or other rights of a student, may request that school amend them.

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3.3.5.2. The Administration shall decide whether to amend the educational records of the student in accordance with the request within a reasonable period of time upon receipt of the request.

3.3.5.3. If the school decides to refuse to amend the education records of the student in accordance with the request, it shall so inform the parent of the student or the eligible student of the refusal and advise the parent or the eligible student of the right to a hearing.

3.3.6. Right to a hearing:

3.3.6.1. SGA Administration, on request, will provide an opportunity for a hearing in order to challenge the content of a student's education records to insure that information in the education records of the student is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student.

3.3.6.2. The hearing shall be conducted according to procedures which shall include at least the following elements:

3.3.6.2.1. The hearing shall be held within a reasonable period of time after the school has received the request and the parent of the student or the eligible student shall be given notice of the date, place and time reasonably in advance of the hearing.

3.3.6.2.2. The hearing may be conducted by any party appointed by the school, including an official of the Board of Directors who does not have a direct interest in the outcome of the hearing.

3.3.6.2.3. The parent of the student or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.

3.3.6.2.4. The official conducting the hearing shall present their decision in writing within a reasonable period of time after the conclusion of the hearing. The decision of the official shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

3.3.6.3. If, as a result of the hearing, the school decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, they shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student.

3.3.6.4. If, as a result of the hearing, the school decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, they shall inform the parent or eligible student of the right to place in the education records of the student, a statement commenting upon the information in the education records and/or setting forth any reasons for disagreeing with the decision of the school.

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3.3.6.5. Any explanation placed in the education records of the student shall be maintained by the school as part of the educational records of the student as long as the record or contested portion thereof is maintained by the agency or institution. If the education records of the student or the contested portion thereof is disclosed by the school to any party, the explanation shall also be disclosed to that party.