



FERPA (Family Educational Rights & Privacy Act) Annual Notice

I. ANNUAL NOTICE

Providence Hall Charter School (PHCS) complies with all state and federal laws pertaining to protecting the privacy of student records, students, and their parents/guardians, and families. The Board of Trustee (Board) policies and procedures ensure that students and their parents/guardians are notified of and afforded their rights under the law. The FERPA Board Policy, Student Records, Privacy Rights, and Release of Information, and its accompanying administrative procedures are available upon request or can be accessed on the PHCS website. Questions about this policy and parent/guardian or student privacy rights should be addressed to the PHCS principal of the appropriate campus.

II. STUDENT RECORDS

- A. Parents/guardians and eligible students (those over the age of 18 years or who have been emancipated), have the right to review official educational records, such as grades, attendance, and other information found in the student's cumulative/permanent record file. This right does not extend to classroom records held by an individual teacher, principal, counselor, or other staff.
 - 1. To review or obtain copies of a student's education records, the requesting person must submit a written request to the PHCS principal of the appropriate campus or designee, identifying the requested record(s).
 - 2. The PHCS principal of the appropriate campus or designee will make arrangements for the requesting person to access the records within 45 days of receiving the request.
- B. Parents/guardians or eligible students who believe an educational record contains information that is inaccurate, misleading, or in violation of the student's privacy may request that the record be amended or corrected.
 - 1. To request an amendment or correction of a school record, the requesting person must submit a written request to the PHCS principal of the appropriate campus or designee. The written request should clearly identify the part of the record in question and specify why the requesting person believes it is inaccurate or misleading.
 - 2. The PHCS principal of the appropriate campus or designee will render a decision within 20 school days of the receipt of the request. If the decision is to not amend the record, a written request for a hearing by the requesting person may be sent to the Board of Trustees within 10 days of the decision.
 - 3. The Board of Trustees will conduct a hearing within 20 days. The appealing person may be assisted or represented by one or more individuals, including an attorney, and will have the opportunity to present evidence supporting their request. The appealing person must give advance notice of intent to include legal representation so that PHCS also has the opportunity to include legal representation as well.
 - 4. If the Board of Trustees' decision is to amend the student's record, the appealing person will receive written notification of the amendment. If the record will not be changed, the appealing person may place a statement in the student's record commenting on the contested information and/or an explanation of why he or she disagrees with the Board of Trustees' decision.
- C. Prior written consent is not required for disclosures of student records to school officials with legitimate educational interests. Prior written consent is also not required



to disclose education records, including disciplinary records, to officials of another school district in which a student seeks or intends to enroll.

III. STUDENT DIRECTORY INFORMATION

- A. Certain student information designated as “directory information” may be made public without prior written consent. PHCS has designated the following as directory information:
 - 1. student's name, address, and telephone listing;
 - 2. participation in officially recognized activities and sports;
 - 3. weight and height of members of athletic teams;
 - 4. dates of enrollment at a school;
 - 5. degrees and awards received;
 - 6. the most recent or previous educational agency or institution attended by the student;
 - 7. current grade in school and teacher(s); and
 - 8. yearbook photos.
- B. Directory information may be included in student directories, school yearbooks, team rosters and class lists, graduation, theatrical, athletic and music programs, videos of performances, school activities and athletic events, articles about school activities and athletic events, lists and photos of students receiving honors, awards or scholarships, and news media coverage of school events or programs.
- C. Parents/guardians or eligible students who do not want this information to be made public may submit a written request to the PHCS principal of the appropriate campus or designee within 20 days of completing the annual Skyward information update (Skyward Online Registration), which includes the FERPA Annual Notice.
 - 1. By submitting a written request, the student directory information selected in the request will be withheld, regardless of item or circumstance of publication.
 - 2. The student’s name and directory information will also be excluded from school documents that are typically made public (see, Section (B) above).

IV. SOCIAL AND NEWS MEDIA

- A. School staff, the media, or other organizations, with the approval of the PHCS principal of the appropriate campus or designee, may take photographs of students, make audio or videotape recordings of students, or interview students for school related stories. These recordings or images may appear in school publications, the school website, on school approved social networking accounts, or in the news media.
- B. This information and these images are generally not considered harmful or an invasion of privacy if released. However, parents/guardians or eligible students may opt out of having such information released.
- C. Parents/guardians or eligible students should complete and submit PHCS’s Media Release Form to the PHCS principal of the appropriate campus or designee if they wish to opt out of giving media consent within 20 days of completing the annual Skyward information update (Skyward Online Registration).

V. MILITARY & COLLEGE RECRUITERS

- A. Recruiters for the military and institutions of postsecondary education, including colleges, universities, and trade schools, often request the directory information of high school juniors and seniors. PHCS will provide the name, address, and telephone number to recruiters unless parents/guardians or eligible students have opted out.
- B. To opt-out, the parents/guardians or eligible students may complete the form Military and College Recruiting Opt-Out, and submit it to the PHCS principal of the appropriate



campus or designee within 20 days of completing annual Skyward information update (Skyward Online Registration).

- C. PHCS cannot prevent recruiters or other entities from obtaining students' names, addresses, and telephone numbers through means other than an official release of information.

VI. SPECIFIC PRIVACY PROTECTIONS & PARENTAL NOTIFICATION

- A. PHCS will obtain prior written consent from parents/guardians or eligible students before students are asked to complete written assignments, answer questions, complete questionnaires, or take psychological or psychiatric examinations, tests or treatments which reveal any of the following information about the student or the student's family, whether such information is personally identifiable or not:
 - 1. political affiliations or, except as provided for in state law, political philosophies;
 - 2. mental or psychological problems;
 - 3. sexual behavior, orientation, or attitudes;
 - 4. illegal, anti-social, self-incriminating, or demeaning behavior;
 - 5. critical appraisals of individuals with whom the student or family member has close family relationships;
 - 6. legally recognized privileged and analogous relationships, such as with lawyers, medical personnel, or ministers; or
 - 7. income, except as required by law.
- B. Parents/guardians or eligible students will receive written notice at least 2 weeks before any planned activities or assignments involving information outlined in Section (A). This notice will provide parents/guardians or eligible students with an opportunity to obtain written information about the information requested, including: the purpose of the information; how the information will be gathered and reviewed; a way to grant permission to access personally identifiable information; and the individuals or entities who will have access to any personally identifiable information.
- C. PHCS staff will provide consent forms and monitor student participation so only students with prior written consent will participate.
- D. Unless otherwise agreed to by parents/guardians or eligible students and the person requesting written consent, the consent is valid only for the activity or assignment for which it was granted.
- E. The 2 week prior notification requirement is not applicable in a situation in which a PHCS employee reasonably believes to be an emergency, in relation to child abuse or neglect reports, or by order of the court.

VII. INTERNET SAFETY

In accordance with the Children's Internet Protection Act (CIPA), PHCS has an Internet safety plan that protects students from the unauthorized disclosure, use, and dissemination of their personal information on the Internet. For more information, please refer to the Acceptable Student Use of Internet, Computers, and Network Resources, and their accompanying procedures.

VIII. COMPLAINTS

- A. Complaints alleging failure by PHCS to comply with CIPA privacy requirements should be addressed to the PHCS principal of the appropriate campus or designee.
- B. Complaints alleging failure by PHCS to comply with family privacy laws should be addressed to the PHCS principal of the appropriate campus or designee.
- C. If complaints are not or cannot be resolved by the PHCS principal of the appropriate campus or Board of Trustees, then complaints may be filed with the Family Policy



Compliance Office within the Department of Education, 400 Maryland Avenue SW,
Washington, DC 20202-4605, 202.260.3887.

REFERENCES

- Utah Code Ann. §53A-13-301 et seq.
- Utah Family Educational Rights and Privacy Act 20 U.S.C. §1232(g)
- Family Educational Rights and Privacy Act, 34 C.F.R. Part 99 20 U.S.C.