

Effective 5/12/2015

Superseded 5/10/2016

53A-13-301 Application of state and federal law to the administration and operation of public schools -- Student information confidentiality standards -- Local school board and charter school governing board policies.

- (1) As used in this section "education entity" means:
 - (a) the State Board of Education;
 - (b) a local school board or charter school governing board;
 - (c) a school district;
 - (d) a public school; or
 - (e) the Utah Schools for the Deaf and the Blind.
- (2) An education entity and an employee, student aide, volunteer, third party contractor, or other agent of an education entity shall protect the privacy of a student, the student's parents, and the student's family and support parental involvement in the education of their children through compliance with the protections provided for family and student privacy under Section 53A-13-302 and the Federal Family Educational Rights and Privacy Act and related provisions under 20 U.S.C. Secs. 1232(g) and 1232(h), in the administration and operation of all public school programs, regardless of the source of funding.
- (3) A local school board or charter school governing board shall enact policies governing the protection of family and student privacy as required by this section.
- (4)
 - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall make rules to establish standards for public education employees, student aides, and volunteers in public schools regarding the confidentiality of student information and student records.
 - (b) The rules described in Subsection (4)(a) shall provide that a local school board or charter school governing board may adopt policies related to public school student confidentiality to address the specific needs or priorities of the school district or charter school.
- (5) The State Board of Education shall:
 - (a) develop resource materials for purposes of training employees, student aides, and volunteers of a school district or charter school regarding the confidentiality of student information and student records; and
 - (b) provide the materials described in Subsection (5)(a) to each school district and charter school.
- (6) An education entity shall notify the parent or guardian of a student if there is a release of the student's personally identifiable student data due to a security breach.