

I. PURPOSE

This policy exists to ensure Athlos Academy follows federal and state laws pertaining to the collection, maintenance and dissemination of pupil records and protecting family privacy rights.

II. DEFINITIONS

- A. Education Records: Those records directly relating to a student and maintained by a school.
- B. FERPA: The Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g; a federal law designed to protect the privacy of students' education records.
- C. Summary Data: Statistical records and reports derived from data on individuals but in which individuals are not identified and from which their identities or any other characteristic remain confidential.

III. POLICY

- A. Athlos Academy recognizes the importance of respecting and maintaining the privacy of its student's records and data, not including student directory information.
- B. Athlos Academy shall train its employees on upholding student confidentiality, including an overview of all federal and state laws that pertain to the privacy of educational records concerning students, their parent/guardian(s), and their families.
 - 1. Teachers are expected to maintain a relationship of trust and respect with each student, and in doing so, shall not reveal student grades, scores, or other performance data to individuals other than the respective student and the student's parent/guardian(s) or to other school officials with legitimate educational interests.
- C. According to FERPA, students and their parent/guardian(s) have:
 - 1. The right to examine and request the amendment of education records;
 - 2. The right to limit access to student records and/or personal information, in certain circumstances, by requiring the prior written consent of a parent or guardian before the information or records can be released; and

Protection and Privacy of Pupil Records

3. The right to be notified of, examine, and either consent to, or opt out of, participating in surveys or educational activities that relate to particular protected areas.
- D. Access to student cumulative files and other private student records shall be provided in accordance with FERPA.
1. Parent/guardian consent is required prior to disseminating student personal information, except in specific instances as outlined in FERPA;
 2. All access to electronically maintained student data shall require password protection;
 3. Employees will be trained on recognizing the instances in which divulging private information to authorized persons serves the best interest of the student and serves a lawful purpose; and
 4. Parents and students will be notified of their rights under FERPA annually.
- E. Student educational records are classified as private by Minn. Stat. Ch. 13 and are accessible only to the student who is the subject of the data and the student's parent/guardian.
1. Athlos Academy may not disclose private records or their contents except as summary data, or except in the following cases:
 - a. Reports pertaining to a neglected or physically or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies;
 - b. Records pertaining to legal matters to appropriate law enforcement during an investigative process;
 - c. Disclosure to school officials with a legitimate educational interest;
 - d. Disclosure to another school to which a student is transferring;
 - e. Directory information according to *Student Policy 5108 – Student Directory Information* following necessary notice; or
 - f. Other cases explicitly allowed under FERPA.
 2. Access to this private data shall be governed by *Community Relations Policy 8008 – Access to Private Data* and any Tennessee warnings distributed when collecting the data.
- F. Retention of Student Records
1. In compliance with Minn. Stat. § 138.17, the Records Disposition Panel, established by the Minnesota Historical Society, must approve the retention periods for all school records.
 2. Reference the standard *Minnesota School District General Records Retention Schedule*.