



1040

Student and Staff Data Protection

Policy 1040

Original Adoption: 11/10/2002

Effective Date: 08/29/2012

Revision Dates: 08/14/2007, 08/28/2012

I. PURPOSE

The Board of Directors recognizes students and their families as well as employees of the District have a right to privacy in the records collected, created, maintained and disseminated by the District. The Board also recognizes that the public has a need and a right to know relevant information about the operation of schools in the District within the limits expressed in the Minnesota Government Data Practices Act and the Family Educational Rights and Privacy Act (FERPA). The purpose of this policy is to adopt measures regarding the protection of privacy of students, their families and District employees pursuant to the requirements of federal and state laws governing individual privacy, openness in government and orderly and efficient operation of the district. .

II. GENERAL STATEMENT OF POLICY

- A. The Board of Directors shall appoint a Responsible Authority and a Compliance Official for the District. The Responsible Authority and the Compliance Official may be the same person.
- B. The Superintendent shall adopt and implement procedures for access to district records by the public, by district employees who have a need for access, by parents and by the data subject. Procedures to gain access to data and the rights of data subjects must be made available to the public.

III. DIRECTORY INFORMATION

- A. **Right to Privacy.** Directory Information is available on the following bases (¶¶ IV. B-C) unless the parent or person acting as a parent, or a student who is over age 18 has requested that the information not be available to the public.
- B. **General Public Access.** The following information is designated as Directory Information regarding any student or employee to any member of the public not identified in Paragraph IV. C.
 - 1. Name, height and weight of individual members of athletic teams;
 - 2. Name of recipient and name of award or scholarship received, and
 - 3. Names of participants in officially recognized school activities.
- C. **Government Agencies.** In addition to the information available to the general public the following information is designated as Directory Information regarding any



student or the student's identified parent or person acting as parent to the student to any properly identified member of a governmental agency:

1. Name
2. Home Address(es)
3. Telephone Number(s)
4. School of enrollment
5. Photograph, audio or video image
6. Electronic mail address
7. Date of Birth
8. Dates of attendance
9. Grade level

IV. RESPONSIBILITY

- A. The Superintendent is authorized to promulgate regulations for the implementation of this policy.
- B. The Superintendent shall propose an appropriate employee to act as the Responsible Authority and the Compliance Official for the District to the Board of Directors.
- C. It is the responsibility of all employees to abide by the requirements of this policy.

Legal References:

20 U.S.C. 1232(g) (Family Educational Rights and Privacy Act [FERPA])
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act [FERPA] Regulations)
Minnesota Statutes Chapter 13 (Minnesota Government Data Practices Act)
Minnesota Rules Chapter 1205 (Data Practices)