




**GWINNETT  
COUNTY  
PUBLIC  
SCHOOLS**

**Gwinnett County Board of Education**

Level:  Policy J-Students	Accompanying Procedure: P.JR 	Descriptor Code: <b>JR</b>	Rescinds April 16, 2009
Descriptor Term: <b>Student Records</b>		Effective Date: <b>October 20, 2016</b>	

Keywords:  
Student Discipline:  
Policy References:

**Family Educational Rights & Privacy Act "FERPA"**

It shall be the policy of the Board to protect the confidentiality or personally identifiable information in student records against all persons except those with a need to know in normal operation of the schools or school system, except when specifically authorized release is granted in writing by the parent or eligible student or pursuant to subpoena or judicial order and as otherwise specified by federal or state laws. The parent or legal guardian or eligible student shall have right of access and right of hearing to challenge the content of records believed to be inaccurate, misleading or otherwise in violation of privacy or other rights of the student within 45 days of request or before transfer of records. The Superintendent, or designee, shall develop and maintain procedures for the granting of a request by parents for access to the educational records of their children and for the conduct of a hearing challenging the content of any student's records alleged to be inaccurate, misleading or otherwise in violation of the student's privacy rights.

All information in the student record shall be as objective as possible or be based on unbiased non-discriminatory professional observation or judgment. Student records shall be expunged periodically to eliminate records or data no longer valid or pertinent to the student.

Directory Information constitutes information contained in student records whose disclosure would not generally be considered harmful or an invasion of privacy. The Superintendent, or designee, shall develop and maintain procedures for the disclosure of Directory Information in appropriate circumstances. The procedures shall include a list of the types of information designated as Directory Information. The Superintendent, or designee, shall notify parents, guardians and eligible students of the types of information designated as Directory Information on an annual basis and provide parents, guardians and eligible students with a specified period of time to opt out of the disclosure of any type of directory information by submitting appropriate documentation.

**Protection of Pupil Rights Act "PPRA"**

Definitions:

Instructional Material - instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials

in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Invasive Physical Examination - any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Parent - includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives), or a person who is legally responsible for the welfare of the child. The rights provided to parents under this policy shall transfer to the student when the student turns 18 or at any age if the student is an emancipated minor.

All instructional materials used in the Gwinnett County School District shall be available for inspection by the parents or guardians of a student, including materials which are part of a survey, analysis, or evaluation. The Superintendent, or designee, in consultation with parents, shall develop procedures for granting a request by a parent for reasonable access to instructional material within a reasonable period of time after the request is received.

No student shall be required to submit to a survey, analysis, or evaluation that reveals information concerning: (i) political affiliations or beliefs of the student or the student's family; (ii) mental or psychological problems of the student or the student's family; (iii) sex behavior or attitudes; (iv) illegal, anti-social, self-incriminating, or demeaning behavior; (v) critical appraisals of other individuals with whom respondents have close family relationships; (vi) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; (vii) religious practices, affiliations, or beliefs of the student or the student's parents; (viii) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior written consent of the parent. In the event a survey containing a request for information listed under this paragraph will be administered, parents shall receive prior written notice and an opportunity to opt out of the survey.

The Superintendent, or designee, shall, in consultation with parents, develop minimum requirements a third party agency must meet to protect student privacy prior to allowing such agency to administer or distribute a survey to students. The parent or legal guardian of a student shall have the right to inspect, upon request, any survey before the survey is administered or distributed by the school to a student. The Superintendent shall, in consultation with parents, develop procedures for granting parents access to any such survey within a reasonable period of time after the request is received and prior to the administration of the survey.

The Superintendent, or designee, in consultation with parents, shall develop procedures for the administration of physical examinations or screenings that a school may administer to a student. The procedures adopted by the Superintendent, or designee, shall include procedures for approving the administration of a physical examination or screening and notifying parents of the examination or screening. Parents must be notified at the beginning of the school year, of the specific or approximate dates during the school year when any nonemergency, invasive physical examination or screening that is (i) required as a condition of attendance; (ii) administered by the school and scheduled by the school in advance; and (iii) not necessary to protect the immediate health and safety of the student, or of other students will be performed. Parents must also be offered an opportunity to opt the student out of any invasive physical examination.

It is the policy of the Gwinnett County Board of Education that personal information shall not be collected from students for the purpose of marketing or selling that information (or otherwise providing that information to others for that purpose). This paragraph does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services

for, or to, students or educational institutions.

### **Student Data Privacy, Accessibility, and Transparency Act**

The Board's policy is to provide parents, guardians, and/or eligible students with an electronic copy of the education record which they are entitled to, unless the education record is not maintained in electronic format and reproducing the record in an electronic format would be unduly burdensome.

The Superintendent, or designee, shall develop procedures consistent with the Georgia Department of Education's model policies permitting parents or eligible students to file a complaint regarding a possible violation of rights under the Student Data Privacy, Accessibility, and Transparency Act (O.C.G.A. 20-2-660 through O.C.G.A. 20-2-668) or under other federal or state student data privacy and security laws.

### **Annual Notice**

Parents and students shall receive notice of their privacy rights under federal and state law, including FERPA, PPRA, and the Student Data Privacy, Accessibility, and Transparency Act, in the student handbook distributed at the beginning of the school year and upon enrollment. Parents must also be notified in writing of any substantive changes in the procedures developed by the Superintendent, or designee, within forty-five (45) days of the effective date of any such changes.