

# SMYRNA SCHOOL DISTRICT

## District Policy

**Article: 5000 Students**

**Title: Privacy Rights of Students**

**Policy #: 5106**

Federal and State law prohibits District employees from disclosing student information (including but not limited to test scores, grades, psychological or medical reports, discipline reports, behavior, disability classification, performance, reports by guidance counselors, and names or telephone numbers of parents or legal guardian). The principal exceptions to this rule are as follows and such information may be disclosed to:

1. the student's parent(s) (if the student is under 18), a legal guardian (if under 18 or over 18 with continuing guardianship rights), or a District employee with a legitimate educational interest in the student. Visitation and custody rights are irrelevant so long as a parent or guardian's parental rights are not terminated when they request records;
2. in redacted form to the relevant Division of Professional Responsibility investigatory agency when investigating employee misconduct or performance;
3. when there is a release signed by the parent or guardian of a minor with intact parental rights;
4. when there is a release signed by a student over the age of 18;
5. pursuant to a law enforcement subpoena when the Attorney General's Office represents that informing the parent, guardian or student would compromise or jeopardize a criminal prosecution;
6. pursuant to a law enforcement subpoena when the Attorney General's Office represents that they are investigating child death, molestation, abuse, dependency or neglect, and the suspect is a parent or guardian;
7. in connection with financial aid applications.

There may be other exceptions. Please contact District Office with regard to specific questions.

Violation of privacy rights may result in claims against the District and the employee participating in the unlawful disclosure.

Any employee who violates lawful rights of privacy will also be subject to disciplinary action.

In furtherance of protecting student privacy, all visitors, evaluators, observers, case workers, and others who wish to access the student learning environment while students are present shall execute and deliver an agreement in the form of Policy 5106F.