

STUDENT INFORMATION PRIVACY

In order to provide the highest degree of service possible to students of Iberia Parish, the Iberia Parish School Board ("Board") shares information with various entities and organizations who perform a wide array of services intended to enhance the educational experience of our students. The collection and maintenance of a student's personally identifiable information requires special care to ensure the privacy rights of students and compliance with legal requirements governing these records, including the [Family Educational Rights and Privacy Act of 1974 \(FERPA\) \(20 USC 1232g\) \(34 CFR 99.1-99.67\)](#) and La. Rev. Stat. Ann. §17:3914. The Iberia Parish School Board will maintain student records and personally identifiable information as confidential and will use reasonable commercially available steps to maintain as such. Iberia Parish School Board will follow all local, state, and federal data security laws and policies and will only release data that is required to support educational programs.

DEFINITIONS

The following terms and definitions apply when discussing student records.

- Access – provide the ability to look at, inspect and make use of.
- Disclosure - permit access to or release, transfer, or other communication of personally identifiable information contained in educational records by any means including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.
- Eligible student - a student who is at least 18 years of age.
- Education records - records that are directly related to a student that are maintained by the Iberia Parish School Board or by a third party acting for the School Board.
- Parent - student's natural parent, guardian, or individual acting as parent in the absence of a parent or a guardian.
- Personally identifiable information- information about an individual that can be used on its own or with other information to identify, contact, or locate a single individual, including but not limited to the following:
 1. Any information that can be used to distinguish or trace an individual's identity such as full name, social security number, date and place of birth, mother's maiden name, or biometric records.
 2. Any other information that is linked or linkable to an individual such as medical, educational, financial, and employment information.

3. Two (2) or more pieces of information that separately or when linked together can be used to reasonably ascertain the identity of the person.

• School official having access to student records –

1. A person employed by the School Board in an administrative, supervisory, academic or research, or support staff position, including health or medical staff;
2. A person elected to the School Board; and/or
3. A person employed by or under contract with the School Board to perform a special task for the School Board.

ACCESS TO STUDENT INFORMATION BY STUDENT AND PARENTS

Parents and guardians have the right to inspect and review any school records dealing with their children. Students eighteen (18) years of age or older have the sole right to inspect and review their respective student records.

According to the Federal Family Educational Rights and Privacy Act (FERPA) and state law, parents and eligible students have the right to:

- Inspect and review the student's education records;
- Seek amendment of the student's education records that are believed to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- Consent to the disclosure of personally identifiable information, except to the extent that FERPA and the School Board authorize disclosure without consent; and
- File with the United States Department of Education a complaint concerning alleged failures by the Iberia Parish School Board to comply with FERPA.

Other Federal Statutes Allowing Access to Educational Records include:

1. [20 USC 1232 h](#) ([34 CFR 98](#)) (Protection of Pupil's Rights Act)

Copies of these Federal statutes, their implementation regulations, and other information concerning parent and student rights under these laws can be obtained from the Iberia Parish School Board by written request to Iberia Parish School Board, Legal Department, 1500 Jane Street, P.O. Box 200, New Iberia, LA 70563; phone (337) 365-2341.

In addition to the parent and student's right to review and inspect student records, the School Board shall maintain a grievance process for parent/student to object and/or alter the contents contained therein. For the internal procedures concerning review, objections and hearing rights to the contents of student records, contact the Legal Department of the Iberia Parish School Board, 1500 Jane Street, New Iberia, LA, 70563, phone (337) 365-2341.

PERMITTED DISCLOSURES WITHOUT CONSENT

1. Applicable State and/or Federal Law

The School Board allows access, including disclosure, of certain student personally identifiable information without consent under the following circumstances:

- When required by applicable state or federal law, such as:
 - [20 USC 7908\(a\)\(1\)](#) requires public schools to provide student names, address, and telephone numbers to military recruiters, unless the student's parent or legal guardian has requested that the information not be provided.
 - La. Rev. Stat. Ann. [§17:81\(N\)](#) provides for the release of student information to state and local law enforcement officials and officials within the office of juvenile justice.
 - La. Rev. Stat. Ann. [§17:112](#) provides for the transfer of education records (including special records, if applicable) of any current or former student upon written request of any authorized person on behalf of a public or nonpublic elementary or secondary school, or an educational facility operated within any correctional or health facility where such student has become enrolled or is seeking enrollment.
- Under the terms of a contract with a public or private entity providing student or education services when such contract meets the requirements of the law. Such contracts and a list of the data elements that are included in the contract shall be available for inspection. Release under such a contract without consent is necessary for the education of a student, as determined by the school system. Examples of such contracts include but are not limited to Student Information Systems, Special Education Reporting, etc.

2. School Officials

A school official has a legitimate educational interest to access student records if the official is:

- Performing a task that is specified in his or her position description or contract agreement;
- Performing a task related to a student's education;
- Providing a service or benefit related to the student or student's family, such as health care, counseling, job placement, or financial aid;

- Maintaining the safety and security of School Board property and school grounds; and/or
- Performing other duties of legitimate educational interest as determined by the Superintendent or his/her designee on a case-by-case basis.

PERMISSIBLE DISCLOSURE OF STUDENT INFORMATION UNLESS OBJECTED TO BY PARENT/STUDENT

1. Educational Purposes

Unless directed otherwise by a student's parent, legal guardian, or eligible student, the Iberia Parish School Board approves a person employed in a school or person authorized by the Superintendent to disclose certain student personally identifiable information for valid educational purposes, in accordance with FERPA and La. Rev. Stat. Ann. §17:3914 for the following reasons:

- Information to protect the health, safety, or welfare of a student or the general public;
- Information to facilitate a student's participation in a school sanctioned extracurricular activity, including but not limited to a sport, organization or club;
- Information to facilitate the operation and daily activities within District facilities, including but not limited to the display and use of student information;
- Information related to programs and activities related to school sanctioned performances or productions, events and award programs, and graduation;
- Information for student purchasing, including but not limited to class rings, graduation supplies, school spirit shirts, and sports apparel;
- Post-secondary institution transcript requests, scholarships, and admissions;
- LHSAA, NCAA and other related sports programs;
- Online resources and educational tools;
- School photography, ID badges, and Yearbook providers;
- Bus routing and transportation services;
- Recognition of student accomplishments and/or promotion of school activities in the media including newspapers, radio, television, and district and school website, including school sponsored social media sites.
- Directory information as set forth herein.

- Directory Information: The School Board may provide access to information designated as "directory information" on-site in general and private access areas of a school or school system facility, and to school-sponsored or school-related organizations. The following information is designated as directory information:
 - Student's name, address, telephone listing;
 - Parents' names and addresses;
 - Student's date and place of birth;
 - Student's school and grade level;
 - Student's picture and electronic mail address;
 - Student's major field of study;
 - Participation in officially recognized activities and sports;
 - Weight and height of members of athletic teams;
 - Dates of attendance;
 - Degrees and awards received; and
 - Previous educational agency or institution attended by the student.
- Examples of school sponsored or school-related organizations include but are not limited to:
 - Project Graduation;
 - Parent organizations (such as PTA, booster clubs, etc.);
 - Scholarship programs;
 - Student clubs (such as Beta Club, Key Club, 4H, etc.);
 - Printing services (programs for graduation, award ceremonies, athletic events, playbills for drama productions).

2. Department of Education

La. Rev. Stat. Ann. §[17:3914](#) provides limitations on the access to student personally identifiable information by the Louisiana Department of Education.

- Provide a student's identification number as provided by law, and aggregate data to the local school board, the Louisiana Department of Education, or the Louisiana Board of Elementary and Secondary Education solely for the purpose of satisfying state and federal reporting requirements.
- Provide to the Louisiana Department of Education, for the purpose of satisfying state and federal assessment, auditing, funding, monitoring, program administration, and state accountability requirements, information from which enough personally identifiable information has been removed such that the remaining information does not identify a student and there is no basis to believe that the information alone can be used to identify a student. No official or employee of the Louisiana Department of Education shall share such information with any person or public or private entity located outside of

Louisiana, other than for purposes of academic analysis of assessments.

- Provide personally identifiable information regarding a particular student to any person or public or private entity if the sharing of the particular information with the particular recipient of the information has been authorized in writing by the parent or legal guardian of the student, or by a student who has reached the age of legal majority, or if the information is provided to a person authorized by the state, including the legislative auditor, to audit processes including student enrollment counts. Any recipient of such information shall maintain the confidentiality of such information. Any person who knowingly and willingly fails to maintain the confidentiality of such information shall be subject to the penalties provided by law.

3. Post-Secondary Education

Upon obtaining the written consent from a parent, eligible student, or legal guardian of a student, the School Board shall collect the following information from each student in grades eight (8) through twelve (12):

- A. Full name.
- B. Date of birth.
- C. Social security number.
- D. Student cumulative transcript data.

The consent authorizes the Board to provide such information to the Louisiana Office of Student Financial Assistance (LOSFA), any Louisiana postsecondary education institution, and the Louisiana Board of Regents. This information is released for TOPS eligibility and processing of applications for admissions and state and federal aid. **The failure to provide written consent for collection and disclosure of a student's information will result in delays or may prevent the successful application for admission to post-secondary institution and for state and federal student financial aid.** Once obtained such written consent shall continue year to year until withdrawn by the parent or legal guardian.

PROHIBITED COLLECTION OF STUDENT INFORMATION WITHOUT PARENTAL/ STUDENT PERMISSION

Unless voluntarily disclosed by a student's parent or legal guardian, no employee of the school system shall require disclosure to the school system by the student, parent or legal guardian of any of the following information:

1. Political affiliations or beliefs of the student or the student's parent.
2. Mental or psychological problems of the student or the student's family.
3. Sexual behavior or attitudes.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom a student has a close family relationship.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.

7. Religious practices, affiliations, or beliefs of the student or the students' parent.
8. Family income.
9. Biometric information
10. Social security number.
11. Gun ownership.
12. Home Internet Protocol Address.
13. External digital identity.

DESTRUCTION OF STUDENT RECORDS

The Iberia Parish School Board requires all confidential or personal information concerning a student be kept for a maximum of five (5) years, if space permits, or for a minimum of three (3) years if space is not available.

With the exception of the student's transcripts, all materials in a student's cumulative record shall be destroyed three (3) years after a student concludes his/her attendance in or graduates from the school system. A transcript is data limited to the name of the student, date of birth, names and addresses of parent(s)/guardian(s), scholastic grades, grade levels attained and year completed.

RECORDS OF STUDENTS WITH DISABILITIES

The records of children who have not received special educational services for five (5) consecutive years may be destroyed. The procedure for such destruction shall include:

- Notification by letter to the parent(s), guardian(s), and/or student at the last known address that the records can be forwarded to them or destroyed pending receipt of notification. If the letter of notification is returned without a forwarding address, the records will be destroyed.
- A permanent record including the student's name, date of birth, address, phone number, and special education data (evaluation results, special educational services rendered, etc.) shall be maintained without time limit.

Revised: December, 2009

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Ref: [20 USC 1232](#) (g-i) (*Family Educational Rights and Privacy Act*)
[20 USC 7908](#) (*Armed Forces Recruiter Access to Student Information*)
[34 CFR 99.1-99.67](#) (*Family Educational Rights and Privacy - Federal Regulations*)
La. Rev. Stat. Ann. §§[9:351](#), [17:81](#), [17:112](#), [17:221.3](#), [17:3914](#), [44:4](#), [44:4.1](#), [44:31](#),
[44:32](#)
La. Civil Code, [Art. 131](#), [Art. 134](#), [Art. 250](#)
Louisiana Attorney General Opinion No. 15-0103
Board minutes, 2-1-84, 7-97, 7-24-13, [8-19-15](#), [1-17-18](#)

Iberia Parish School Board