

Intradistrict Communication

DATE: March 14, 2024

TO: District Administrators
Principals
Assistant Principals

FROM: Michael Anderson, Associate Superintendent
Melissa Flores, General Counsel
Sandra Riesgraf, Director, Communications
Travis Hamblin, Director, Student Services
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SUBJECT: Record Request: FERPA or GRAMA

This is a revision and reissue of a memo previously distributed in September 2023 and replaces that version of this document.

Please distribute the information below to anyone in your school or department who may field questions regarding a record request.

Two laws govern processes that parents/patrons must follow to access information the District maintains: FERPA and GRAMA.

FERPA is the Family Educational Rights and Privacy Act, a federal law that governs access to a student's educational record. The educational record typically consists of the contents of the student's cumulative folder, the Special Education record (if applicable), and information for the student in Skyward. [District Policy DP367 – District Records Management](#) designates each school's principal as the school's record officer. As such, parents may obtain copies of information in the student's educational record by making a written request to the principal. The parent does not need to be referred to Planning & Enrollment or Communications; however, both departments can assist schools in identifying records that may be responsive to the parent's request. If a parent requests the student's **entire** education record (a record that may contain information from multiple schools), this information can still be provided by the school where the student is currently enrolled; the building principal is the record officer for all records at that location, no matter where they may have originated.

Any clips of District surveillance video that were used in student discipline are considered part of the educational file for both the subject student and any victims. Under FERPA, parents have a right to "access" this portion of their child's record, but do not have a right to obtain a copy of video footage. The process of providing access to footage will include a review by Planning & Enrollment,

Communications, and General Counsel but is overseen by the school principal. An updated overview of the process schools should follow in providing access to retained footage is available at this link:

- [GRAMA and FERPA Requests - March 2024](#)

GRAMA is Utah's Government Records Access and Management Act. It outlines the process for the general public to access records created and maintained by government entities. Practically every other type of record generated and maintained by the district (except those designated as "private," "controlled", or "protected" in DP367) may be accessed by an individual through the GRAMA process. Emails, including emails sent to and from students that are not maintained as part of the student's educational file, are included in the records subject to GRAMA. DP367 outlines that the District will only respond to GRAMA requests that are submitted through the [Utah Open Records Portal](#). Individuals may submit their request directly to the portal via the website and do not need to contact Planning & Enrollment or Communications first. Patrons may be required to pay the cost of employee time (in excess of 15 minutes) for preparing records.