



# PRIVACY OF STUDENT INFORMATION IN THE BOSTON PUBLIC SCHOOLS

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Presentation to Boston School Committee  
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## Request for Policy Approval- Privacy of Student Information in the Boston Public Schools

The new policy and updated circular (LGL-07):

- Reiterate the district's obligations **to protect the privacy of student records under FERPA and state law**, and **provide clear guidance on the legal exceptions** and when they may be used;
- Affirm the district's **commitment to protecting the safety of our students and school communities** by sharing information with law enforcement, **if such sharing complies with law**;
- **Reduce overly broad information sharing** with third parties, even where permitted by law, by: separating documentation of school discipline from documentation of incidents requiring law enforcement reporting; developing an internal review protocol before sharing with third parties; mandating annual training for all BPS employees.

## *Under what circumstances may student record information be shared with third parties without parent or eligible student consent?*

1. Court order or subpoena.
2. The **health or safety emergency provision** permits such disclosures when the disclosure is necessary to protect the health or safety of the student or other individuals. This exception is limited to the period of the emergency and does not allow for a blanket release of PII from a student's education records. These disclosures must be related to an actual, impending, or imminent emergency.
3. **“Directory information”** is information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes the student's name, age, SASID, neighborhood of residence, grade, dates of enrollment, participation in officially recognized activities, membership on athletic teams, degrees, honors, and awards, and post-high school plans (**not address, school name, DOB**).

## How Is This Policy Related To Our Safety Services Operations?

- Even though BSP serves as the district's law enforcement unit, because they are school officials, BSP officers cannot re-disclose information they obtain about students on SIS/ASPEN, even if that information is disclosed in the form of a 1-1 or SSR1 report.
- Boston School Police will not generate reports to document student conduct solely for a school's internal disciplinary purposes. If such a report is generated, or if such report is used in disciplinary proceedings, it becomes part of the student record.
- Disciplinary incidents must be documented in SIS/ASPEN by school administrators.

## How will we evaluate compliance?

- Measure the number and type of incident reports written;
- Audit incident reports to ensure proper documentation of student information;
- Track staff training completion and the effectiveness of ongoing training.

## Implementing Procedures and Request for Vote

**Implementing Procedures can be found in the following circular:**

LGL-07 - Privacy of Student Information and Student Record Procedures: How to Respond to Student Record Requests in Compliance with FERPA and State Law.

**We request that the School Committee vote to approve the Privacy of Student Information policy as outlined this evening.**