



## Provo City School District Policy Series 3000: Students

Policy No. 3228

### Student Confidential Communications

The Provo City School District Board of Education understands the sensitivity required to handle information that is shared in confidence. All employees of Provo City School District must use his/her best professional judgment when handling information received from a student in confidence. When receiving such information, employees shall advise students of their limitations and restrictions regarding confidentiality. Whenever possible, the student shall be encouraged to disclose any confidences to his/her parents. Information received may be deemed necessary to share with other administrators or outside agencies.

The following guidelines are provided to employees to assist in making appropriate decisions regarding confidential information and/or communication.

1. Information held in a student's cumulative record is confidential. It is only accessible to the administrator of student records. Any information received from the administrator of student records shall remain confidential and shall only be used for the purpose for which the access was granted.
2. Utah state law requires that school *district* staff members, including counselors, *do not* possess a confidentiality privilege. *For example, the student's parent or legal guardian must be notified if the student threatens to commit suicide. Also, parents of each student involved in an incident of bullying, cyber bullying, harassment, hazing, or retaliation will also be notified whether they are the victim or the perpetrator.*
3. Employees are expected to reveal any information given by a student that suggests there is a reasonable likelihood of a crime being committed (child abuse, distribution and/or possession of drugs, physical violence, gang activity, vandalism, etc.)
4. If a teacher has reason to believe that a student at their school has committed an illegal act, he/she shall report that to their school administrator. Upon receiving such information, the school administrator shall immediately notify the student's parents/guardians and any appropriate law enforcement agency or official.
5. If district officials determine there is a threat to the health or safety of a student or other person, confidential information may be shared with any appropriate parties as allowed by the Family Educational Rights and Privacy Act (FERPA) and state law.
6. Students who are 18 years of age or older, as well as students who become legally emancipated after the age of 16, are to be considered adults and will act on their own accord as it relates to matters of confidentiality.

7. Professional judgment should be exercised regarding the sharing of information given by a student.

Legal References:

Synopsis:

Utah Code 53G-8-501	Substance Abuse Reporting and Weapons Notification -- Definitions
Utah Code 53G-8-502	Mandatory Reporting of Prohibited Acts
Utah Code 53G-8-503	Reporting Procedure
Utah Code 53G-8-506	Reporting of Prohibited Acts Affecting a School -- Confidentiality
Utah Code 62A.4a.412	Access to Private, Controlled and Protected Documents
Utah Code 63G.2.202	Reports and Information Confidential
Utah Code 53A-11a-203	Parental Notification of Certain Incidents and Threats Required

Approved by Board of Education: October 14, 2014