

Gettysburg Area School District

Privacy of Education Records During Continuity of Education

As our school community continues to adjust to the circumstances presented by the COVID-19 public health emergency, the Gettysburg Area School District's commitment to protecting student rights and supporting families remains a top priority. The purpose of this letter is to reiterate those rights and to explain how the Gettysburg Area School District intends to continue protecting those rights while we work with you and your child to implement our Continuity of Education Plan. Families of students with individual education plans (IEPs) or Section 504 plans will receive additional correspondence regarding the virtual delivery of certain special education services or activities.

The federal Family Educational Rights and Privacy Act ("FERPA") creates an obligation on the part of the Gettysburg Area School District to protect personally identifiable information contained in a student's education record from unauthorized disclosure. The Gettysburg Area School District's annual FERPA notice provides a complete explanation of parent and student rights and Gettysburg Area School District responsibilities under the law. A copy of the annual notice is included with this letter. You can also access the complete notice anytime on the Gettysburg Area School District's website: www.gettysburg.k12.pa.us/domain/652

As described in the Continuity of Education Plan, the Gettysburg Area School District will use virtual learning as part of our good faith effort to provide opportunities for students to develop and maintain educational skills during school building closure. This includes expanding the use of virtual platforms that were already in use and also may require the Gettysburg Area School District to introduce new platforms and methods of providing instruction or activities to students.

The annual notice continues to apply to education records that existed prior to the health emergency and that may be created during the implementation of the Continuity of Education Plan. The Gettysburg Area School District is making reasonable efforts to protect personally identifiable information found in education records, which is why parents and students must understand and implement the privacy guidelines found on the next page.

While we understand that there may be instances where strict adherence is untenable for teachers delivering remote learning opportunities and for families receiving the education, we ask that all members of the school community make every reasonable effort to implement the privacy guidelines.

The Gettysburg Area School District appreciates your family's cooperation as we work together to provide educational opportunities for students during this difficult time. Please direct any questions about the annual notice or this letter to the Student Services office.

Privacy Guidelines

- The Gettysburg Area School District chose virtual platforms that qualify as “school officials,” a term explained in the annual notice. Any information disclosed by the Gettysburg Area School District to virtual platforms in the process of establishing student account access or which may be disclosed to the virtual platform as a result of a student’s use of the platform is for legitimate educational purposes.
- To the extent possible given the age of your child and household, the Gettysburg Area School District asks that virtual attendance be limited to the student for whom the educational practice is intended.¹
- To the extent possible given the age of your child and household, explain to your child not to voluntarily disclose protected information from his/her own education record during group settings or when the circumstances suggest that the information will not remain private.
- Unauthorized recording, which includes photos of course content posted online, is strictly prohibited. Teachers may provide recordings to students of the teacher engaged in educational practices for the purpose of implementing the Continuity of Education Plan. Unauthorized recordings of students are prohibited.
- If a parent is present or permits a non-student to be present when protected information is disclosed, that person is prohibited from re-disclosing the information pursuant to the re-disclosure rule contained in the annual notice.
- All other guidelines for record-keeping and maintenance of records, as explained in the annual notice, shall continue to apply.

¹ FERPA does not prohibit a parent from observing their child’s education. “This is because FERPA would generally prohibit a teacher from disclosing information from a child’s education records to other students in the classroom, as well as prohibit a teacher from disclosing information from a child’s education records to the parents of another child who might be observing the classroom.” *See* Letter to Mamas, U.S. Dept. of Education (Dec. 8, 2003), https://studentprivacy.ed.gov/sites/default/files/resource_document/file/Letter%20to%20Mamas%28Recreated%29v508.pdf