

## Utah Code Ann. § 53E-9-304

Current through May 1, 2024 of the 2024 General Session.

*Utah Code Annotated > Title 53E Public Education System — State Administration (Chs. 1 — 10) > Chapter 9 Student Privacy and Data Protection (Pts. 1 — 3) > Part 3 Student Data Protection (§§ 53E-9-301 — 53E-9-310)*

### **53E-9-304. Student data ownership and access — Notification in case of significant data breach.**

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(1)

- (a) A student owns the student's personally identifiable student data.
- (b) An education entity shall allow the following individuals to access a student's student data that is maintained by the education entity:
  - (i) the student's parent;
  - (ii) the student; and
  - (iii) in accordance with the education entity's internal policy described in Section 53E-9-303 and in the absence of a parent, an individual acting as a parent to the student.

(2)

- (a) If a significant data breach occurs at an education entity, the education entity shall notify:
  - (i) the student, if the student is an adult student; or
  - (ii) the student's parent, if the student is not an adult student.
- (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to define a significant data breach described in Subsection (2)(a).

### **History**

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C. 1953, 53A-1-1405, enacted by L. 2016, ch. 221, § 7; renumbered from 53A-1-1405 by L. 2018, ch. 1, § 222, effective January 24, 2018; 2018 ch. 304, § 3, effective May 8, 2018; 2019 ch. 186, § 141, effective May 14, 2019; 2020 ch. 408, § 29, effective May 12, 2020.