

## **J-23 STUDENT RECORDS**

All information regarding students and their families shall be collected, maintained, and disseminated under safeguards as are necessary to comply with the Family Educational Rights and Privacy Act of 1974. The Board shall require adherence to the provisions of the Act.

### Definitions

- “Education Records” – records which: 1. are directly related to a student and 2. are maintained by the education agency or school by a party acting for the agency or school.

The following is excluded from the term “Education Records”:

1. Records kept by instructional, supervisory or administrative personnel, which are in the sole possession of the maker and are not accessible or revealed to any other individual except a substitute teacher.
- “Personally Identifiable” – data or information which includes:
    - 1) the name of a student and the student’s parent or other family member;
    - 2) the address of the student;
    - 3) a personal identifier, such as a student’s social security or student number;
    - 4) a list of personal characteristics which would make the student’s identity easily traceable;  
or
    - 5) other information which would make the student’s identity easily traceable.

### Access to and Release of Information in Student Records

- The principal shall, within these parameters be responsible for determining to whom information maintained in student records may be released.

- The principal shall be responsible for determining who, other than the parent/guardian or eligible student shall have access to the student records.
  
- “Directory information” may be made available at the discretion of the principal without prior consent of the parent. However, students and their parents/guardian shall be notified at the beginning of each school year as to the categories of directory information and their right to request that all or part of such information be withheld from the public.
  
- The following individuals or agencies may be granted access to student information without the written consent of the parent/guardian or without an entry being made in the disclosure record:
  1. Teachers and other school officials within the school district, who have a legitimate educational interest.

Definition:

“Legitimate education interest”: Interest that requires regular access for purposes of adding material, periodic review, filing new student data and/or removing inadequate, ambiguous, irrelevant data; interest in the educational well-being of the student; and interest in which the individual has legitimate need to know.

1. The stated education agency is required to make reports concerning the education program.
  - The following individuals or agencies may be granted access to student record information without the written consent of the parent/guardian, by completing the disclosure record:
    - a. Authorized representative of:
      1. The Comptroller General of the United States

2. The Secretary of the U.S. Department of Education
  3. State Education authorities
  4. Appropriate community agencies involved in handling students' health or safety.
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2. Agencies requiring information in connection with a student's application for or receipt of financial aid.
  
  3. Courts, upon the issuance of proper orders or subpoenas. Reasonable efforts shall be made to notify the parent/guardian of the order or subpoena.
- Directory information and personally identifiable information shall be released without parental/guardian consent to a school to which the student has transferred.
  
  - Principals shall require written approval of a parent/guardian or eligible student in order to grant access to others not specifically authorized by this policy.
  
  - Unless otherwise specified, the term "parent" in this procedure shall include parent, guardian or student 18 years of age or over or who is enrolled in a post-secondary institution.

#### Review of Student Records by the Parent

- Schools shall provide for the review of student records by parents. Parents and students shall be notified of their right to review the student records by a notice in the student handbook and/or by newsletter or other appropriate communication to the parent at the beginning of each school year.
  
- A parent or guardian who desires to review his/her child's record shall contact the school for an appointment and a conference shall be scheduled as soon as possible. The disclosure record shall be completed at the time of the conference.
  
- Prior to the scheduled conference, the principal shall review the record for accuracy and completeness.

- The record shall be examined by the parent in the presence of the principal or a designated professional person.

1. The principal or designee attending the review shall:

1. Explain the record keeping system of the school, noting the types of the records and why they are kept.

2. Provide the parent the opportunity to examine each record. Records, which shall be included, are:

1. Cumulative academic record
2. Application for admission
3. Immunization records, if applicable
4. Attendance record
5. Class grade record
6. Any other records maintained for that student by the School District.

2. The principal or designated professional person shall provide the parent an opportunity to raise questions regarding information in the records.

3. A record of the review shall be made on the disclosure record.

- If the parent requests a hearing to challenge information contained in the student's folder, a written request shall be made and a hearing scheduled for a date not less than three (3) days nor more than fourteen (14) days from the date of the request.

a. A hearing shall be held with the principal and parent at a scheduled time.

b. If the parent/guardian is not satisfied with the hearing with the principal, he/she shall have the opportunity to appeal the decision to a review panel at the Central Office.

1. The parent/guardian shall request the appeal in writing to the Superintendent. Upon receipt of said request, the Superintendent shall schedule a review panel meeting within ten (10) days following receipt of the parent's request. The date, time and place of the review panel hearing shall be sent to the parent/guardian by United States registered or certified mail, return receipt requested.

- The student record appeals review panel shall be composed of three (3) professional representatives of the Central Office staff. At the meeting:

- a. The Superintendent or his/her designee shall preside.

- b. The parent/guardian and principal shall be present. The student shall be present if requested by the parent/guardian or school official.

- c. The decision of the review panel shall be communicated in writing to the school and parent/guardian within ten (10) days.

1. The parent/guardian shall have the right to file a dissenting statement following the hearing and such statement shall become part of the student's cumulative folder.

#### Student Cumulative Record Cards

- All personal data shall be completed when the student initially enrolls in the school system and updated annually.
- All data shall be recorded on the cumulative record in accordance with administrative procedures established by the Board.
- Since information on the cumulative record cards is confidential, the card shall not be removed from the room except as authorized.

**ADOPTED: May 11, 2004**

**LEGAL REF: 20 U.S.C. 1232 (g-i)**