

1 REVISION
2 First Reading

3
4 Joint School District No. 2, Meridian

5
6 STUDENT PERSONNEL

7
8 Series 500

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10 Policy Title Student Records Policy 504.60

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13 **Education Records**

14 Education records include a range of information about a student that is maintained in
15 schools in any recorded way, such as handwriting, print, computer media, video or audio
16 tape, film, microfilm and microfiche. Student records are confidential. Records include:

- 17
18 1. date and place of birth, parents and/or guardian addresses
19 2. transcripts, schools attended, and special education records
20 3. disciplinary records (severe disruptive behavior)
21 4. medical and health records collected and maintained by the school
22 5. personal information such as a student's identification number, social security
23 number, and school pictures

24
25 Records falling within the definition of "education record" pursuant to the Family
26 Educational Rights and Privacy Act (FERPA) do not fall within the purview of HIPAA
27 requirements. Reports, evaluations, summaries received by a school, including health
28 records maybe shared with individuals with legitimate educational interest and will move
29 with a student if he/she transfers.

30
31 Personal notes made by teachers and other school officials that are not shared with
32 others (except substitutes) are not considered education records.

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34 **Student's Legal Name**

35 The use of the student's legal name is required in the permanent file.

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37 **Disclosure of Education Records**

38 Joint School District No. 2 will disclose information from a student's education records
39 only with the written consent of the parent/guardian or eligible student, with the
40 exception that the district may disclose without consent when the disclosure is:

- 41 1. To school officials who have a legitimate educational interest in the records. A
42 school official is:
43 a. A person employed by the district as an administrator, supervisor,
44 instructor, or support staff member, including health and medical staff.
45 b. A person elected or appointed to the board of trustees.
46 c. A person employed by or under contract to the district to perform a
47 special task, such as an attorney, auditor, medical consultant, or
48 therapist.
49 d. A person who is employed as a school resource officer.

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51 A school official has a legitimate educational interest if the official is:

- 52 a. Performing a task that is specified in his or her position description or by a
53 contract agreement.
- 54 b. Performing a task related to a student's education.
- 55 c. Performing a task related to the discipline of a student.
- 56 d. Providing a service or benefit relating to the student or student's family,
57 such as health care, counseling, job placement, or financial aid.
- 58 e. Maintaining the safety and security of the campus.
- 59
- 60 2. To officials of another school, upon request, in which a student seeks or intends
61 to enroll.
- 62 3. To officials of the U.S. Department of Education, the Comptroller General, the
63 state and local educational authorities, in connection with audit or evaluations of
64 state or federally supported education programs.
- 65 4. In connection with a student's request of financial aid to determine the eligibility,
66 amount, or conditions of the financial aid, or to enforce the terms and conditions
67 of the aid.
- 68 5. To state and local officials or authorities if specifically required by a state law.
- 69 6. To organizations conducting studies for or on behalf of the district.
- 70 7. To accrediting organizations to carry out their functions.
- 71 8. To parents/guardians of an eligible student if the student is a dependent for
72 income tax purposes.
- 73 9. To comply with a judicial order or a lawfully issued subpoena.
- 74 10. To appropriate parties in a health or safety emergency.
- 75 11. To individuals requesting directory information so designated by the district.
- 76

77 **Family Educational Rights and Privacy Act Requirements (FERPA):**

78 Students and parents/guardians will be given notification of their rights as defined by
79 FERPA once every year. This notification will be given using a mass media tool. The
80 annual notice will contain information regarding the right to inspect their child's records,
81 the right to seek an amendment to the record, and the right to consent to the disclosure
82 of personally identifiable information. The notice will also inform the students and
83 parents/guardians of their right to file a complaint with the U.S. Department of Education.

84

85 **Inspection of Records**

86 Student records will be available for inspection by parents/guardians and eligible
87 students upon written request. The request will be granted within a reasonable time (not
88 to exceed forty-five (45) calendar days). A copy of the records will be given to the
89 parent/guardian or eligible student upon request. When a record contains information
90 about students other than a parent's child or the eligible student, the parent or eligible
91 student may not inspect and review the portion of the record that pertains to other
92 students. Actual copying costs may be collected from the student or parent/guardian.

93

94 **Record of Requests**

95 The district will maintain a record of all requests for information from a student's
96 education records. The record will indicate the name of the party making the request,
97 any additional party to whom the information may be re-disclosed, and the legitimate
98 interest the party had in requesting or obtaining the information. The record may be
99 reviewed by the parent/guardian_or eligible students.

100

101 Non-custodial Parent

102 Access to records and information pertaining to a minor child including, but not limited to,
103 medical, dental, health, and school or educational records, shall not be denied to a
104 parent because the parent is not the child's custodial parent. If the custodial parent
105 requests in writing, the school district will remove information regarding the address of
106 the minor child prior to providing the information to the non-custodial parent.

107

108 Record Amendment

109 Parents/guardians or eligible students have the right to ask to have records corrected
110 they believe are inaccurate, misleading, or in violation of their privacy rights. Following
111 are the procedures for the correction of records:

112

- 113 1. Parents/guardians or the eligible student must ask the district to amend a record.
114 In so doing, they should identify the part of the record they want changed and
115 specify why they believe it is inaccurate, misleading or in violation of the
116 student's privacy rights.
- 117 2. The district may comply with the request or it may decide not to comply. If it
118 decides not to comply, the district will notify the parents/guardians or eligible
119 student of the decision and advise them of their right to a hearing to challenge
120 the information believed to be inaccurate, misleading, or in violation of the
121 student's privacy rights.
- 122 3. Upon request, the district will arrange for a hearing, and notify the
123 parents/guardians or eligible student, reasonably in advance, of the date, place,
124 and time of the hearing.
- 125 4. The hearing will be conducted by a district official. The parents/guardians or
126 eligible student shall be afforded a full and fair opportunity to present evidence
127 relevant to the issues raised in the original request to amend the student's
128 education records. The parents/guardians or student may be assisted by an
129 attorney.
- 130 5. The district will prepare a written decision based solely on the evidence
131 presented at the hearing. The decision will include a summary of the evidence
132 presented and the reasons for the decision.
- 133 6. If the district decides that the information is inaccurate, misleading, or in violation
134 of the student's right of privacy, it will amend the record and notify the
135 parents/guardians or eligible student, in writing, that the record has been
136 amended.
- 137 7. If the district decides that the challenged information is not inaccurate,
138 misleading, or in violation of the student's right of privacy, it will notify the
139 parents/guardians or eligible student that they have a right to place in the record
140 a statement commenting on the challenged information and/or a statement
141 setting forth reasons for disagreeing with the decision. The statement will be
142 maintained as part of the student's education records as long as the contested
143 portion is maintained. If the district discloses the contested portion of the record,
144 it must also disclose the statement.

145

146 Permanent Record

147 The following information will be maintained indefinitely:

- 148 1. student's name
- 149 2. residence
- 150 3. grades
- 151 4. attendance summary

- 152 5. entrance and withdrawal record
- 153 6. birthday and place of birth
- 154 7. I.D. number or social security number
- 155 8. name of parents/guardians
- 156 9. record of transcripts
- 157 10. educational assessment data
- 158 11. immunizations

159 The permanent record of each student is maintained at the school level. The principal,
160 individual teachers and special education personnel may also have files containing
161 specific educational records.

162 **Directory Information**

164 Directory information can be made public if the district provides parents/guardians
165 written notice. This notice will be given annually, in writing, using public media. The
166 notice will include:

- 167 1. The information designated as directory information.
- 168 2. The right of the parent or eligible student to refuse to allow the district to disclose
169 the directory information regarding that particular student. This request must be
170 received in writing within 30 calendar days of receipt of the notice.

171

172 Directory information includes:

- 173 1. student name
- 174 2. address
- 175 3. telephone listing
- 176 4. birthday
- 177 5. attendance dates, awards earned, honor roll data, and diploma earned
- 178 6. weight and height of members of athletic teams
- 179 7. information typically found in school yearbooks or athletic programs

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181 Directory information will be made available to the military according to the No Child Left
182 Behind Act (ESEA 2001). As a general practice, directory information will not be given
183 out.

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185 **Transfer of Records**

186 Whenever a student transfers from one school to another, within the district, within the
187 state, or elsewhere, and the sending school is requested to forward student records, the
188 sending school shall respond by forwarding a certified copy of the transferred student's
189 record within ten days (exception according to Idaho Code 18-4511).

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191 **Disciplinary Records**

192 When a school record contains information of violent or disruptive behavior or
193 disciplinary action of a student, the information must be included in the transfer of
194 student records. The disciplinary information must be transferred by placing it in a sealed
195 envelope, marked confidential, and addressed to the principal or assistant principal.

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197 **Students with Disabilities**

198 The parents/guardians of students with disabilities have the right to inspect and review
199 the educational records of their child upon written request. The request will be granted
200 within a reasonable time (not to exceed forty-five (45) calendar days). Typical situations
201 for request include:

- 202 1. Before any meeting regarding an Individualized Education Program (IEP).

- 203 2. Before any hearing relating to the identification, evaluation, or educational
204 placement of a child.
205 3. Before any hearing relating to the provision of a Free Appropriate Public
206 Education (FAPE) to a child
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208 Parents/guardians of students with disabilities shall be notified when personally
209 identifiable information that has been collected (more than five (5) years old) is no longer
210 needed to provide services to the child. The information must be destroyed at the
211 request of the parent/guardian. Permanent information will not be destroyed.
212 Permanent records include the student's name, address, phone number, grades,
213 attendance records, classes attended, immunizations, and the grade level and year that
214 the highest level was attained.
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216 **Time Requirements for Maintaining Educational Records**

217 The General Education Provisions Act and the federal regulations for State-Administered
218 Programs both require that records be retained for at least five (5) years. With the
219 exception of permanent records, student information will only be kept for a period of five
220 (5) years after the student graduates from high school or withdraws from the school
221 district.
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232 Date of Revision:
233 8/12/02

Legal Reference: Code of Idaho
32-717A, The Family Education
Rights and Privacy Act of 1974,
Individuals with Disabilities Act

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