

1 Joint School District No. 2, Meridian

2  
3 STUDENT PERSONNEL

4  
5 Series 500

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7 Policy Title Student Records

Policy 504.60

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10 **Education Records**

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

- 14  
15 1. date and place of birth, parents and/or guardian addresses  
16 2. transcripts, schools attended, and special education records  
17 3. disciplinary records (severe disruptive behavior)  
18 4. medical and health records collected and maintained by the school  
19 5. personal information such as a student's identification number, social security  
20 number, and school pictures

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

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

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31 **Student's Legal Name**

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

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34 **Disclosure of Education Records**

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

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

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

- 49 a. Performing a task that is specified in his or her position description or by a  
50 contract agreement.  
51 b. Performing a task related to a student's education.

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

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

#### 82 **Inspection of Records**

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

#### 91 **Record of Requests**

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

#### 98 **Non-custodial Parent**

99 Access to records and information pertaining to a minor child including, but not limited to,  
100 medical, dental, health, and school or educational records, shall not be denied to a  
101 parent because the parent is not the child's custodial parent. If the custodial parent

102 requests in writing, the school district will remove information regarding the address of  
103 the minor child prior to providing the information to the non-custodial parent.

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#### 105 **Record Amendment**

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

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

142

#### 143 **Permanent Record**

144 The following information will be maintained indefinitely:

- 145 1. student's name
- 146 2. residence
- 147 3. grades
- 148 4. attendance summary
- 149 5. entrance and withdrawal record
- 150 6. birthday and place of birth
- 151 7. I.D. number or social security number
- 152 8. name of parents/guardians

- 153 9. record of transcripts
- 154 10. educational assessment data
- 155 11. immunizations

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

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### 160 **Directory Information**

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

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

168

169 Directory information includes:

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

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

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### 182 **Transfer of Records**

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

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### 188 **Disciplinary Records**

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

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### 194 **Students with Disabilities**

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

- 199 1. Before any meeting regarding an Individualized Education Program (IEP).
- 200 2. Before any hearing relating to the identification, evaluation, or educational  
201 placement of a child.
- 202 3. Before any hearing relating to the provision of a Free Appropriate Public  
203 Education (FAPE) to a child

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205 Parents/guardians of students with disabilities shall be notified when personally  
206 identifiable information that has been collected (more than five (5) years old) is no longer  
207 needed to provide services to the child. The information must be destroyed at the  
208 request of the parent/guardian. Permanent information will not be destroyed.  
209 Permanent records include the student's name, address, phone number, grades,  
210 attendance records, classes attended, immunizations, and the grade level and year that  
211 the highest level was attained.

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**213 Time Requirements for Maintaining Educational Records**

214 The General Education Provisions Act and the federal regulations for State-Administered  
215 Programs both require that records be retained for at least five (5) years. With the  
216 exception of permanent records, student information will only be kept for a period of five  
217 (5) years after the student graduates from high school or withdraws from the school  
218 district.

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229 Date of Revision:

230 5/9/06

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