

Code: JRA R

**PROCEDURES AND PRACTICES OF THE SCHOOL DISTRICT  
GOVERNING THE MAINTENANCE, TRANSFER, AND  
DISCLOSURE OF STUDENT EDUCATIONAL RECORDS**

Student educational records and progress records will be maintained on established forms which have been adopted for district-wide use (cumulative folders, health records, history sheets, achievement test labels, attendance registers, etc.). Additional information reports such as observation notes, letters from parents, teacher comments, etc. will be placed in the educational records of students only upon the advice of the school principal or other school official who is responsible for the maintenance of student educational records.

The additional information reports, considered to be the property of the school district, shall be maintained in files other than student cumulative folders. This policy shall apply to lesson plan books, grade books, observation notes, evaluation comments, case study records, and other similar record forms developed by teachers, psychologists, therapists, social workers, and other similarly trained professional employed by the school district.

Achievement tests may be administered without prior parental permission and the results of those tests may become part of the student's educational records. In addition, other tests may be administered upon approval of parents or the appropriate school officials. Results of those additional tests may also be placed in the educational records of students.

In compliance with applicable governmental regulations, the record-keeping practices of the school district shall include the following:

- a. Provision to annually inform parents of their rights regarding the educational records of students;
  - b. Announcement of the procedure to be followed by those who seek to examine, challenge, or obtain copies of student educational records;
  - c. Announcement of the location of student educational records and the responsible school district officials.
5. Disclosure of directory information will be made without prior or written parental permission. Directory information, for the purposes of the school district, may include: student name, address, grade in school, date and place of birth,

participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, and the most recent previous school attended. Any student or parent who objects to the disclosure of directory information should provide the school with a written objection prior to the start of school or within fifteen (15) days after notification of the school's intent to make public directory information, whichever is later.

6. Personally identifiable information, for the purposes of the school district, may include such information as: names of parents and other family members, health records, identifiers such as student or social security number, descriptions of personal or educational characteristics, test scores and other similar information. Personally identifiable information generally shall require written consent prior to disclosure.
7. Officials of the school district may disclose the educational records of students, without prior or written consent:
  - a. When parents or legal guardians seek to examine the records of their own children;
  - b. When parents request that records be transferred to schools or school districts in which the students seek or intend to enroll;
  - c. When requested by school officials from schools or school districts in which students seek or intend to enroll;
  - d. To officials and employees of the school district who have a legitimate educational interest in those records;
  - e. To eligible students (those who have reached 18 years of age or are attending a post-secondary educational institution) who seek to examine their own educational records;
  - f. To comply with a judicial order or lawfully issued subpoena, provided that a reasonable attempt has been made to notify the parent prior to compliance with the judicial order;
  - g. To appropriate organizations and governmental officials (as specified by the Family Educational Rights and Privacy Act, P. 99.31).
8. Written records of disclosure will be maintained by the responsible school district officials. Disclosure records will be maintained on approved forms and will be filed with the educational records of students. Records of disclosure will be maintained by the school district.

9. Unless it has received legal evidence to the contrary (legal instrument or court orders governing such matters as divorce, separation, or custody), the school district will presume that both parents of students have the legal authority to examine the educational records of their children.

#### RIGHTS OF PARENTS UNDER THE PROVISIONS OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

1. Parents, legal guardians and eligible students under the provisions of the Family Educational Rights and Privacy Act are granted the right to examine the educational records of local educational agencies. Upon receipt of the request, the educational agency has a maximum of 45 days in which to comply with that request.
2. Unless the school agency has received official or legal evidence to the contrary (divorce decree, contested custody, etc.) it may presume that either parent has legal right of access to the records of students, and may honor the written request from either parent.
3. No portion of an educational record may be destroyed during the period of time when there is an outstanding request for the disclosure of those records.
4. It is permissible to require that the educational records be examined in the presence of a school district official. If the parent requests a copy of the records, the request must be honored (costs of reproduction will be borne by the parent).
5. Parents, legal guardians, and eligible students who feel that the contents of educational records are inaccurate, misleading, inappropriate, or in violation of privacy or other rights of students may request that the records be amended.
6. If the school agrees with the request, the records will be amended and the parent will be advised, in writing, of the agreement.
7. If the education agency does not agree with the request for amendment, the parent must be advised of his right to a hearing. (Central administration instructions should be sought at this point, for the regulations governing hearings are lengthy, detailed and explicit).
8. If the hearing determines that an amendment will be made, the records are amended and the parent informed, in writing, of the changes.
9. If the hearing does not result in a record amendment, the parent must be advised of his right to place a statement of disagreement in the educational record of the student. The disagreement statement must

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remain as part of the student record as long as the record is maintained by the school district. Any disclosure of the educational record must include the disclosure of the statement of disagreement.

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