

STUDENT EDUCATION RECORDS

Collection and Maintenance

Student records are an essential part of the educational process. A cumulative record shall be kept on all students from kindergarten through 6. This is a highly private record to be used only by the professional staff immediately concerned with the student's education. It shall also be made available to the student and his/her parents or guardians.

These student records may contain, but are not limited to: identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

The Principal shall implement procedures to comply with this policy, the Family Education Rights and Privacy Act of 1974 (FERPA), the Individuals with Disabilities Education Act (IDEA), the No Child Left Behind Act of 2001, and implementing regulations. (See FDA-R)

The Principal shall be responsible for record maintenance and access. All student records when not in use shall be kept under lock and key.

Review

Parents or legal guardians have the right to inspect and review the education records of the student. Requests to inspect and review shall be made to the Principal and the Principal shall make an appointment within a reasonable time. Any request to examine a student's record by a parent or legal guardian of a minor student shall be honored. Request by agents, when accompanied by written authorization from the parent or legal guardian shall also be honored. The Principal shall be present when the record is inspected and reviewed. Nothing in the record may be destroyed or removed while there is a pending request to review the record.

Parents or legal guardians may request amendment to educational records that they believe to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of students. FERPA does not require the district to consider a request to change the grade a teacher assigns for a course.

The file shall contain a list of all requests for information and all completed forms involving requests, authorizations, or permissions to view educational records, unless exempted by law. With the exception of school officials and the parent/guardian, each person viewing the file shall sign and date the form provided for that purpose.

Dissemination

The school shall not permit access to or release of student records to an individual, agency, or organization without the written consent of the parent or guardian, except as specifically provided by law. Disciplinary action taken against a student may be disclosed when the misbehavior poses a significant risk to the student or others.

The district may disclose, without the consent or knowledge of the parent/guardian, personally identifiable information in the educational records of a student to the Attorney General of the United States or his designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The District is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

When a student enrolls or intends to enroll in another school, the District will forward a copy of the educational records, including disciplinary records involving suspension or expulsion to the new school without prior approval.

The District will maintain directory information that may include name, address, e-mail address, phone number, pictures, date of birth, place of birth, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, previous schools attended, and name of parents. The district may also publish an honor roll. For purposes of this policy, listing on the honor roll will be considered an award. The parent or legal guardian of a student has the right to refuse to permit the designation of any or all of the above categories as directory information with respect to that student.

Release of student directory information applies to the media unless parent/guardian consent is denied.

Notification

The Principal shall ensure that parents and legal guardians are notified of their rights under FERPA, and when appropriate IDEA, at the beginning of each year and at the time of enrollment for students that enter during the year. The notice shall include the categories the District considers directory information and a procedure and deadline for refusing permission.

Destruction

Three (3) years after graduation or three years after the termination of the provision of educational services to the student, all but the Permanent Record Card may be destroyed. The Permanent Record Card shall contain only name, address and phone number, the student's record of grades, years enrolled, courses attended and grade completed. The Permanent Record Card shall be retained in perpetuity.

Any records obtained from the juvenile court will be destroyed, pursuant to state statute, when the student reaches 18 years of age.

The District shall notify the parents of children in special education when personally identifiable information collected, maintained, or used by the District is no longer needed to provide educational services to the child. The contents of a student's Special Educational Services Record except for a permanent record of the student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed, shall be destroyed when the information is no longer needed to provide educational services to the child if the parents request

destruction. If the parents do not request destruction, the Director of Special Education shall determine on a case by case basis whether to retain the entire record, taking into consideration the protection against improper and unauthorized disclosure and the child's potential need for the records, such as social security benefits. (Reference: FDA-E)

Cross Ref: Policy FBFA Transfers/Withdrawals
Policy FIC Student Publications
Policy KAIA School Directory
Policy KCB Sports and Special
Legal Ref: 20 U.S.C. 1232 g Family Educational Rights and Privacy Act
34 CFR 99 Regulations
20 U.S.C. 1413 Individuals with Disabilities Education Act
P.L. 107-110 No Child Left Behind Act of 2001
NDCC 15.1-19-14 School law enforcement unit
NDCC 15.1-19-15 Record retention
NDCC 27-20-51 Inspection of court files and records

POLICY ADOPTED: 5 Sep 02
POLICY AMENDED: 19 Oct 09