

Billings School District 2

STUDENTS

Student Records

Special Education Records

Notice to Parents

The District shall provide notice to parents prior to any major identification, location or evaluation activity to include:

1. Information from parents about primary language will be collected prior to evaluation through the Parent Interview Form or the Pupil Information Form depending on the age of the student. When the primary language is other than English, attempts will be documented of the District's attempts at providing notice in the parents' native language or other method of communication.
2. Parents will receive as part of this notice a description of the types of information sought, the methods used to gather this information, and the uses of this information. This will be accomplished through the use of one of these two forms depending on the age and origination of identification process, Parent Consent/Notification for Special Education or What Can You Expect at Preschool Screening flyer.
3. A summary of the policies and procedures that the District will follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information will be provided parents through one of the following documents, Parents' Rights in Special Education or What Can You Expect at Preschool Screening.
4. Description of all rights of this information, including the rights under the "Family Education Rights and Privacy Act" (1974) will be provided parents through one of the following documents, Parents' Rights in Special Education or What Can You Expect at Preschool Screening.
5. Published notice will be made in local newspaper, screening flyers sent home from schools and to community service providers of children (pediatricians, Department of Family Services, medical clinics, Head Start) with circulation adequate to notify parents within the District of these activities.

Access Rights

The District will comply with a request to access records without unnecessary delay and before any meeting regarding an IEP or any hearing relating to the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child, and in no case more than 45 days. The parent has the right to:

- have a representative inspect and review records; and
- a response from the District to reasonable request for explanations and interpretations of the records.

Records on More Than One Child

When records include information on more than one child, the parent of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

Videotaping Students

Administrators may arrange for surveillance videotaping when appropriate to supervise areas.

Certified staff may arrange to videotape, as a tool of observation, a student(s) for the following purposes:

- gather assessment or baseline information;
- assist in planning and training of staff specifically involved with the student(s);
- to evaluate student curriculum/activity outcomes or to assist with student self-evaluation.

The following guidelines must be followed when videotaping a student(s):

- if the videotape is to be shared with persons outside the classroom or evaluation process, prior parental notice and consent is required.
- if the video is being produced for any reason other than those listed above, prior parental consent is required.
- the produced video will be considered as part of the student's educational record and maintained according to guidelines or will be eliminated at the conclusion of the assessment, activity or training. This determination will be made by the certified staff. Surveillance tapes will be maintained by the school administrator.
- excepting surveillance tapes, students and staff will be provided prior knowledge of videotaping.
- parents may access and review a video of their child; however, that video can only contain film of their child unless prior parental consent is obtained from other children's parent.

<u>Cross References:</u>	Policy 6430	Development of Administrative Procedures
	Policy 3606	Transfer of Student Records
	Procedure 3600-P1	Student Records
	Procedure 3600-P2	Challenge to Student Records
	Procedure 3600-P3	Withholding Records for Financial Obligation
	Procedure 3600-P4	Student Record Safeguard List
	Form 3600-F1	FERPA Notification
	Form 3600-F2	Letter Notifying Parent of Financial Obligation & Withholding of Records
	Form 3600-F3	Letter Notifying Montana School of Financial Obligation & Withholding of Records
	Form 3600-F4	Letter Notifying Montana School that Financial Obligation was Met & Records Can be Released

<u>Legal References:</u>	Family Education Rights and Privacy Act, 20 U.S.C. § 1232g; 34 CFR 99	
	Family Education Rights and Privacy Act, 20 U.S.C. § 1232g; 34 CFR 99.31	
	§ 20-5-201, MCA	Duties and sanctions
	§ 40-4-225, MCA	Access to records by parent
	§ 41-5-215, MCA	Youth court and department records – notification of school
	10.55.909, ARM	Student records

Procedure History:

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Revised on: