



Boulder Valley School District
File: JO-R
Adopted: August 22, 1991
Revised: September 26, 1996

STUDENT RECORDS

Disclosure of Personally Identifiable Information from Student Records

Except as hereinafter specifically provided, the District will not disclose personally identifiable information from the student records to any individual without prior written consent of the student's parent, or, in the case of a student 18 years of age or older, of the student.

Disclosure of Directory Information

The District may disclose directory information from a student's record in accordance with the following provisions:

1. "Directory information" includes the student's name, date, and place of birth; participation in officially recognized sports and activities; height and weight of athletic team members; dates of attendance; and degrees, awards, honors, and other distinctions received. The addresses and telephone numbers of students in elementary or secondary schools shall not be disclosed, except to law enforcement agents conducting an investigation of a student if the agents show that it is necessary for the investigation to have access to that information.
2. The parent of a student or an eligible student may, while the student is in attendance in the Boulder Valley Public Schools, refuse to permit the designation of any and all personally identifiable information as directory information with respect to that student by informing the Director of Student Services of such refusal in writing utilizing the appropriate form at least 20 days in advance of disclosure.

Disclosures Permitted Without Prior Consent

The District may disclose personally identifiable information from a student's records without prior written consent under the following circumstances:

1. When disclosure is to a District official who has a legitimate educational interest in the information disclosed. "District official" means a teacher, counselor, principal, assistant principal, or administrator whose professional duties require personal knowledge of the information contained in the student's record. "Legitimate educational interest" means a professional interest in the academic, counseling, disciplinary, or health matters of the student.
2. When transfer of a student's records, including data concerning disciplinary information involving a student, is requested by another school in which the student intends or seeks to enroll. Copies of such records shall be provided upon request to the parent of the student or an eligible student.
3. When disclosure is to authorized representatives of certain agencies of the United States or state educational authorities in an investigation in connection with federally supported education programs.
4. When disclosure is necessary to determine the amount, conditions of, and eligibility of the student for financial aid.
5. When disclosure to state and local authorities is required by law.
6. When disclosure is to organizations conducting studies for or on behalf of the District regarding predictive tests, administering student aid programs, or improving instruction.
7. When disclosure is to accrediting organizations for accrediting purposes.
8. When disclosure is to the parent of an eligible student who is a "dependent" of the parent as that term is defined in the Internal Revenue Code.
9. When disclosure is necessary to comply with a judicial order or lawfully issued subpoena. The District shall make a reasonable effort to notify the parent of the student or the eligible student of the order or subpoena prior to compliance therewith.
10. When disclosure is to appropriate parties in a health or safety emergency.
11. When disclosure is pursuant to the requirements of state law and District policy for the reporting of suspected child abuse or neglect.
12. The school principal shall communicate discipline information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student.

Limitation on Redisclosure

Personally identifiable information from a student's record shall be disclosed only on the condition that the party to whom disclosure is made will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student.

Record of Disclosures

The District shall maintain a record for each request for and each disclosure of personally identifiable information from a student's record indicating the parties who have requested or obtained such information and the legitimate interests those parties had in requesting or obtaining such information. The appropriate form must be completed and filed with the student's record.

This provision shall not apply to disclosures to a parent of a student or an eligible student, disclosures made pursuant to a written consent which is specific as to the party or parties to whom disclosure may be made, disclosures permitted under Disclosures Permitted Without Prior Consent above, disclosures of directory information, and disclosures made pursuant to a report of suspected child abuse or neglect.

The record of disclosures shall be kept with the records of the student and may be inspected by the parent of the student or the eligible student upon written request to the Executive Director of Administrative Services.

Forms

1. **G-10, Notice of Transfer of Education Records.** If a student transfers to another district, the student must be notified of the transfer of his records and be given the right to inspect the records and challenge them.

2. **G-11, Waiver of Access to Educational Records.** The waiver of access to certain education records permits a student or his parents, if the student is less than 18 years of age, to waive access to confidential recommendations concerning employment or college placement, or to waive access to the recommendation itself but be provided with the names of persons making confidential recommendations.

It should be emphasized that if the student or parent does not execute this waiver, any confidential information will be available for review by the student or parent. Thus any person providing a confidential recommendation should be advised as to whether or not the student or parent have waived their right to access.

3. G-12, Consent and Authorization for Release or Inspection. This is a general release form and would apply if a request for information is made by some person or agency other than a district to which the student is to be transferred or a college in which the student intends to enroll.

Forms G-10, G-11, and G-12 are District stock items and may be obtained from the District warehouse by the identification number.

Form G-13 is to be used for the special education program.

Challenges to Content of Records

Parents or eligible students who believe that information contained in the education records of a student is inaccurate or misleading or violates the privacy or other rights of the student may make a request to the person responsible for preparing the record and/or the building principal that the record be amended. If the request does not result in a change to the record, a written request for a hearing may be submitted to the Superintendent.

1. The hearing shall be held within 25 calendar days after receipt of the request. Notice of the date, place, and time of the hearing will be forwarded to the parent or eligible student by certified mail.
2. The hearing will be conducted by a building principal or higher administrative official as designated in writing by the Superintendent. The official conducting the hearing shall not have a direct interest in the outcome of the hearing.
3. Parents or eligible students shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
4. The official designated above shall issue a decision in writing within 20 calendar days following the conclusion of the hearing and shall notify the parent or eligible student of that decision by certified mail.
5. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
6. The decision shall include a statement informing the parents or eligible student of their right to place in the student records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained as a part of the records as long as the record itself is maintained by the District. If the student record is disclosed by the school to any other party, the explanation shall also be disclosed to that party.

End of File: JO-R