



Associated Regulation: JO-R

STUDENT RECORDS

Student records are maintained in accordance with the Federal Family Educational Rights and Privacy Act of 1974 and the Colorado Open Records Law.

In general, a student's education records are those documents maintained by the School District which are directly related to the student. The records of currently attending students may contain, but will not necessarily be limited to, directory information, standardized test scores, attendance records, transcripts of courses and grades, health information, copies of correspondence with parents, transcripts of conferences with the student, and honors received by the student.

Student records do not include records of instructional, supervisory, and administrative personnel which are in the sole possession of the maker thereof, and which are not accessible or revealed to any other person except a substitute, and records and documents which are privileged under law.

Open Records (Access to Education Records)

Each principal is responsible for maintenance of and access to student records in his or her building. Access is permitted only to building administrators, counselors, the student's teachers, other District personnel determined to have legitimate educational interest in the student, officials of other schools in which the student wishes to enroll, and certain federal agencies associated with education. Access to school records to others not listed is forbidden unless prior written consent is given by the parents or, in the case of a student 18 years of age or older, by the student. The District will maintain with the education records a record of requests for and all disclosures of personally identifiable information, other than disclosures to the student, parent, or District personnel determined to have legitimate educational interest, disclosures specifically consented to, and disclosures of directory information.

A student 18 years of age or older, the parent of a student 18 years of age or older with the written consent of the student, or the parent of a student who has not yet attained the age of 18, are permitted to review that student's records upon timely request to the principal. The requested records shall be made available within a reasonable period of time, but not longer than the 45 days permitted by law. A parent or eligible student has the right to

challenge any educational record on the grounds that it is inaccurate, misleading, or in violation of the privacy or other rights of the student, but grades cannot be challenged. A conference will be held concerning any challenge to an educational record with the person or persons responsible for preparing or maintaining such record and, if necessary, the parent or eligible student may request a hearing to determine if the record should be amended. Certain records, rather than being circulated with the regular cumulative file, may be filed in the principal's office provided that the parents are thus advised.

Reports received from other agencies will be maintained in the same careful manner as those prepared within the Boulder Valley School District.

In the absence of a binding agreement or court order restricting such access, the School District will permit any natural or adoptive parent of a student, whether the parent has custody of the student or not, to inspect the student's education records, and the School District may presume that any such parent has the right to inspect such records.

Withdrawal or Transfer of Education Records

When a student leaves the Boulder Valley School District, the original and complete cumulative education record will be sent as requested to the new school of attendance. Basic information will be kept permanently by the District.

Location of Education Records

Education records for all students who have left the Boulder Valley School District for reasons other than graduation will remain in their last school of attendance for a period of seven years, after which they will be housed at the Education Center located at 6500 East Arapahoe Avenue, Boulder, Colorado.

When a student graduates from the Boulder Valley School District, education records for graduated seniors will remain in their graduating school for a period of seven years, after which they will be housed at the Education Center.

Transferring Student Records Within the District

When a student transfers within the Boulder Valley School District, the cumulative folder, intact, shall be forwarded to the recipient school. The transfer must include the health folder and records.

The Permanent Student Health Record

The permanent student health record is an important part of the student's cumulative school record, and should follow the student from grade to grade and school to school along with the academic record.

The health records are subject to the provisions of the Family Educational Rights and Privacy Act of 1974 and its attendant regulations.

Special Education Records

The parents of a student with disabilities must be informed when student records related to special education assessments and services are no longer needed to provide educational services to the student. All such records must be retained for a minimum of five years following completion of special education-related activities, unless the parent of a student with disabilities requests that the personally identifiable records be destroyed. When records are destroyed pursuant to such a request, a permanent record may nevertheless be maintained consisting of the student's name, address, phone number, grades, attendance record, grade level completed, and year completed.

Notification of Rights

The School District will annually notify the parents or eligible students of their rights pursuant to this policy. Copies of this policy or forms may be obtained from the office of the Superintendent at any time during normal business hours. Complaints regarding violations of rights accorded parents and eligible students pursuant to the Family Educational Rights and Privacy Act may be submitted to the local Office for Civil Rights of the Department of Education.

Current practice codified 1978

LEGAL REFS.:

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g

34 C.F.R. Part 99

34 C.F.R. Reg. 300.573

C.R.S. § 24-72-202 through -206

CROSS REF.:

Comprehensive Plan for Special Education Services in the Boulder Valley School District

End of File: JO