

ADMINISTRATIVE REGULATION

No. 516(b)

Board of Trustees Douglas County School District

STUDENTS

ACCESS TO STUDENT RECORDS

Definitions:

For the purposes of this policy, Douglas County School District has used the following definitions of terms:

Family Education Rights and Privacy Act (FERPA). The federal law guaranteeing access and confidentiality rights of parents and eligible students regarding education records;

Student. Any person who attends or who has attended a school in Douglas County School District;

Eligible Student. A student or former student who has reached age 18 or is attending a postsecondary school;

Parent. Either the natural parent of a student, a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian;

Education Records. Any record (in handwriting, print, tapes, film, computer, or other medium) maintained by Douglas County School District or an agent of the District, which contains information directly related to a student, except:

1. A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. An employment record which relates exclusively to an individual in his or her capacity as an employee of Douglas County School District and which is not available for any other use.
3. Alumni Records which contain information about a student after he or she is no longer in attendance in the district and which do not relate to the person as a student.

Method of Annual Notification:

Parents will be notified of the FERPA rights annually (and upon enrollment) by publication in their child's student handbook, or individual flyer, or by mail.

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Whichever method is chosen, the notice must contain the verbatim information in the Family Education Rights and Private Act (FERPA) notice.

Procedure to Inspect Education Records:

Parents of a student or eligible students may inspect and review the student's education records upon request.

Parents or eligible students should submit to the student's school principal a written request, which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. Access must be given in 45 calendar days or less from the date of receipt of the request.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record that pertains to other students.

Refusal to Provide Copies:

Douglas County School District reserves the right to deny a parent or eligible student a copy of the student's education records in the following circumstances unless failure to provide a copy would effectively prevent the parent or eligible student the right to inspect and review the records:

1. The parent or student has an unpaid financial obligation to Douglas County School District.
2. The education record requested is an exam (norm or criterion referenced) or set of standardized test questions.
3. The parent or eligible student lives within commuting distance of Douglas County School District.

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Fees for Copies of Records:

The fee for copies will be 5 cents per page. (Note: Douglas County School District does not charge for search and retrieval of the records. The charge is for copying time.)

Types, Locations, and Custodians of Education Records:

The following is a list of the types of records that the District maintains, their locations, and their custodians.

Types	Location	Custodian
Cumulative School Records (Current Students)	School or Counselor Office	School Principal or Designee
Cumulative School Records (Former students)	Douglas and/or Whittell High School	School Principal or Designee
Health Records	Nurse's office	Nurse
Speech Therapy, Psychological, OT, PT, APE, O&M Records	Special Services Office	Director of Special Services or Designee
School Transportation Records	Transportation Office	Director of Student Transportation

Disclosure of Education Records:

Douglas County School District will disclose information from a student's education records only with the written consent of the parent or eligible student, except that the District may disclose without consent when the disclosure is:

1. To school officials who have a legitimate educational interest in the records.

A school official is:

- A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of Personally Identifiable Information from education records, such as an

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attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

A school official has a legitimate education interest if the official is:

- Performing a task that is specified in his or her position description or by a contract agreement.
 - Performing a task related to a student's education.
 - Performing a task related to the discipline of a student.
 - Providing a service or benefit relating to the student or the student's family, such as health care, counseling, job placement or financial aid.
 - Maintaining the safety and security of the campus.
2. To officials of another school, upon request, in which a student seeks or intends to enroll;
 3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with audit or evaluation of certain state or federally supported education programs;
 4. In connection with a student's request for, or receipt of, financial aid to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid;
 5. To state and local officials or authorities if specifically required by state law that was adopted before November 19, 1974;
 6. To organizations conducting certain studies for, or on behalf of, the District. To accrediting organizations to carry out their functions;
 7. To parents of an eligible student if the student is a dependent for income tax purposes;
 8. To comply with a judicial order or a lawfully issued subpoena;
 9. To appropriate parties in a health or safety emergency;
 10. To individuals requesting directory information so designated by the District.

Record of Requests for Disclosure:

Each school will maintain a record of all requests for and/or disclosures of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom the information is

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to be re-disclosed, and the legitimate interest the party had in requesting or obtaining the information. The parents or eligible student may review the record.

Directory Information:

Douglas County School District designates the following items as Directory Information:

- Student name (Student names are prohibited on the Internet.)
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees and awards received
- Photograph
- Electronic mail address
- Date and Place of birth
- Grade level
- Dates of attendance (but not attendance on a particular day)
- Most recent educational agency or institution attended

The District may disclose any of those items without prior written consent unless notified in writing to the contrary within one week of enrollment.

Correction of Education Records:

Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records.

1. Parents or the eligible student must ask Douglas County School District to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading, or in violation of the student's privacy rights.
2. Douglas County School District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.

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3. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. One or more individuals may assist the parents or student.
4. Douglas County School District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
5. If Douglas County School District decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student, in writing, that the record has been amended.
6. If Douglas County School District decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or statement setting forth reasons for disagreeing with the decision.
7. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If Douglas County School District discloses the contested portion of the record, it must also disclose the statement.

See Policy related to this Administrative Regulation

See also: Administrative Regulations 516, 516(a)

FERPA

Directory Release

Parent Consent to Release Information

Request to Amend an Education Record

Notification for a Hearing for Amendment Notification
for Approval-Disapproval for Amendment

Date Adopted: 02/03

Date Revised: 1/10/16