

515.3R TRANSFER OF RECORDS AND RELEASE OF INFORMATION

Transfer of Student Records Within the School District

When a student is enrolled, who has transferred from another school within the School District, the receiving school shall notify the sending school of said enrollment and shall request all records pertaining to the enrollee. The transfer of such records shall not require the written permission of either student, parent or guardian providing the disclosure is to other school officials, including teachers, that are determined to have legitimate educational interests in the information. Records to be transferred include: the Permanent Record Card, the Cumulative File, Health Records, and the Clinical File should one be in existence. Principals are responsible for safe and efficient records transfer. All students including homeless students* will be immediately enrolled.

Transfer of Student Records Outside the School District

The School District may release personally identifiable information from an education record of a student without written consent if

1. The disclosure is to officials of other schools or school systems in which the student seeks or intends to enroll,
2. The student's parent or guardian is notified of the transfer (Notification of Transfer of Student Records to School Outside District 709) and receive a copy of the record if desired, and
3. The student's parent or guardian have an opportunity for a hearing to challenge the content of the record.

The School District shall receive written verification prior to the transfer that the transferee will not permit any other party to have access to such information without the written consent of the parent or guardian of the student.

Whenever possible and practical, written permission to release individual student information should be the method of choice. The use of Release of Personal Information Form, or a comparable form, will accomplish the requirement for signed release should the need arise. The above conditions also apply to applications of high school students sent to post-secondary institutions.

Requests for Transfer of Student Records from Another School District

When a student is enrolled who has transferred from a school in another school district, the receiving school shall notify the sending school of said enrollment and shall request (Request Transfer of Student Records from School Outside District 709 Form) records pertaining to enrollee. While the transfer of such records may not require the written permission of either student, parent or guardian, the written consent (Release of Personal Data Form) to release information may speed the transfer of information important to the continuation of the student's education. All students including homeless students* will be immediately enrolled.

Release of Student Records to Non-School Recipients

No person, agency, or institution shall have access to a student's records except under the following conditions:

1. When proper written consent has been obtained from students 18 years of age or the student's parent or guardian (Release of Personal Data Form). The written consent must specify the records to be released and to whom they may be released. Each request for consent must be made separately. No blanket permission for the release of information shall be allowed.

2. By judicial order or lawfully issued subpoena, upon condition that parents or guardian and the student are notified of all such orders or subpoenas in advance of the compliance therewith by the School District.
3. When student data is required for research purposes and the data will be released in a summary form and individual student data will be unidentifiable.

Directory Information

The School District shall release Directory Information as public information upon request and payment of a fee to cover the costs of publication. All requests for such Directory Information will be directed to the Data Processing Department, CAB, for processing. Under federal law and regulation, Directory Information includes:

1. Name
2. Date and place of birth
3. Participation in officially recognized activities and sports
4. Height and weight of members of athletic teams
5. Dates of attendance
6. Degrees and awards received

The School District will, prior to the start of every school year, give notice to the parent or guardian of every student that

1. The above items will be designated as directory information,
2. The parent or the adult student has the right to refuse to permit the school district to designate some or all of the categories as directory information with respect to that particular student, and
3. The parent, guardian, or adult student has 14 calendar days from the opening day of the school year to notify, using the form provided, the principal of the school the student is attending that this information is NOT to be so designated as to that student.

Information that the School District does not designate as directory information or that the parent, guardian or adult student objects to the designation in the manner provided above, remains as private information and may be released only as described in this regulation.

*The term "homeless children and youth" - a) means individuals who lack a fixed, regular, and adequate nighttime residence...; and b) includes - children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency shelters; are abandoned in hospitals; or are awaiting foster care placement.

References: Federal Register, Volume 67, #46, Pg. 10697-10701, McKinney-Vento Education of Homeless Children Act Family Ed Rights and Privacy Act of 1974 MN Data Practices Act, Chap. 13

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