

Title: Student Records

The Board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages in accordance with applicable law. The Board Secretary is the custodian of student records. Student records may be maintained in the central administration office or administrative office of the student's attendance center in paper, electronic or other media format.

Parents and eligible students will have access to the student's records during the regular business hours of the District. An eligible student is a student who has reached eighteen years of age or is attending an institution of postsecondary education at the post high school level or is court adjudicated as an emancipated minor. Parents of an eligible student are provided access to the student records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the Internal Revenue Code in which case the parents may be provided access without the written permission of the student, or as may be otherwise authorized by law. A representative of the parents or eligible student, who has received written permission from the parents or eligible student, may inspect and review a special education student's records. Parents, other than parents of an eligible student, may be denied access to a student's records if the District has a court order stating such or when the District has been advised under the appropriate laws that the parents may not access the student records. Parents may inspect an instrument used for the purpose of collection of student personal information prior to the instrument's use.

A student record may contain information on more than one student. Parents will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to themselves or be informed of the information.

Parents and eligible students will have a right to access the student's records upon request within a reasonable period of time and in no instance more than forty-five calendar days after the request is received. Parents, an eligible student or an authorized representative of the parents will have the right to access the student's records prior to an Individualized Education Program (IEP) meeting or hearing.

Copies of student records will be provided if failure to do so would effectively prevent the parents or eligible student from exercising the right to access the student records. Fees for copies of the records are waived if it would effectively prevent the parents or eligible student from accessing the records. A fee may not be charged to search or retrieve information from a student's education records.

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Upon the request of parents or an eligible student, the District will provide an explanation and interpretation of the student records and a list of the types and locations of education records collected, maintained or used by the District.

If parents or an eligible student believes the information in the student records is inaccurate, misleading or violates the privacy rights of the student, the parents or an eligible student may request that the District amend the student records. The District will decide whether to amend the student records within 10 school days after receipt of the request. If the District determines an amendment is to be made to the student record, the District will make the amendment and inform the parents or the eligible student of the decision in writing.

If the District determines that amendment of the student's record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the District.

If the parents or the eligible student request such a hearing, the District shall provide the hearing in accordance with the procedures required by law. If the parents' or the eligible student's request to amend the student record is further denied following the hearing, the parents or the eligible student will be informed that they have a right to place a statement in the student record commenting on the contested information and/or stating why the parents or eligible student disagree with the District's decision. Additions to the student's records will become a part of the student record and be maintained like other student records. If the District discloses the student records, the statement by the parents or eligible student will also be disclosed.

Generally, student records may only be disclosed with parental or eligible student's written permission. However, student records may be disclosed in limited circumstances without parental or eligible student's written permission. This disclosure may be made to the following individuals or under the following circumstances:

- to school officials within the District whom the Superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, individuals serving on official school committees. This also includes other volunteers or contractors who perform an institutional service or function for the District, who need to review an education record in order to fulfill their professional responsibilities for the District;
- to officials of another school, school district, or institution of postsecondary education in which the student seeks or intends to enroll, or is already enrolled, provided the disclosure is for purposes related to the student's enrollment or

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transfer and the District notifies the parents or eligible student that the student records are being sent. This request is set aside if the disclosure is initiated by the parent or eligible student, or the annual notification includes a provision that records will automatically be transferred to other schools that have requested the records. The parents shall have an opportunity to request a copy of the records and request a hearing to challenge the contents of the records;

- to authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities in connection with an audit or evaluation of Federal or State supported education programs or for the enforcement of or compliance with Federal legal requirements that relate to those programs;
- in connection with financial aid for which the student has applied or which the student has received if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions for the aid, or enforce the terms and conditions of the aid;
- to organizations in contract with the District to conduct studies for, or on behalf of, the District to develop, validate, administer predictive tests, administer student aid programs, or improve instruction, and the study does not release personally identifiable information;
- to accrediting organizations to carry out their accrediting functions;
- to parents of a dependent student as defined in the Internal Revenue Code;
- to comply with a judicial order or lawfully issued subpoena, if the District makes a reasonable effort to notify the parents or eligible student of the order or subpoena in advance of compliance so that the parent or eligible student may seek protective action, unless otherwise provided by law;
- to state and local officials or authorities to whom this information is specifically allowed to be reported or disclosed pursuant to state law and consistent with an interagency agreement between the school district and juvenile justice agencies. Such reporting or disclosure must concern the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released;
- to appropriate parties in connection with a health or safety emergency or as directory information, provided that the District has given notice to parents of students in attendance and eligible students in attendance of the types of

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personally identifiable information that the District has designated as directory information. Notice must include a parent's or eligible student's right to refuse the designation of any or all of those types of information about the student as directory information, and the period of time within which a parent or eligible student has to notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information;

- as otherwise permitted by applicable law.

The Superintendent will keep a list of the individuals and their positions who are authorized to view a special education student's records without the permission of the parents or the eligible student. Individuals not listed are not allowed access without parental or an eligible student's written permission, unless otherwise provided by law. This list must be current and available for public inspection and updated as changes occur.

The Superintendent will also keep a list of individuals, agencies and organizations which have requested or obtained access to a student's records, the date access was given and their legitimate educational interest or purpose for which they were authorized to view the records. This list for a student record may be accessed by the parents, the eligible student and the custodian of student records, and others authorized by law. The Superintendent, however, does not need to keep a list of the parents, authorized educational employees, officers and agencies of the District who have accessed the student's records or other disclosures excepted by law from such record keeping requirements.

Permanent student records, including a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation. Permanent student records will be kept in a fire-safe vault or can be maintained and stored electronically with a secure backup file.

When personally identifiable information, other than permanent student records, no longer needs to be maintained by the District to provide educational services to a special education student, the parents or eligible student are notified. This notice is normally given after a student graduates or otherwise leaves the District. If the parents or eligible student request that the personally identifiable information be destroyed, the District will destroy the records. Prior to the destruction of the records, the District must inform the parents or eligible student the records may be needed by the parents or eligible student for social security benefits or other purposes. In the absence of parents or an eligible student's request to destroy the records, the District must maintain the records for at least five years after an individual is determined to be no

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longer eligible for special education.

The District will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system, in accordance with applicable law. The District will enter into an interagency agreement with the juvenile justice agencies involved.

The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication. This is intended to promote collaboration between agencies and to improve school safety and matters affecting student success in school.

The District may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication, information contained in the permanent record may be disclosed by the District to the parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the District to the agencies after adjudication only with parental consent or a court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.

Confidential information shared between the District and the agencies will remain confidential and will not be shared with any other person unless otherwise provided by law.

Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian or legal or actual custodian. The District may discontinue information sharing with an agency if the District determines that the agency has violated the intent or letter of the agreement.

Agencies will contact the principal of the attendance center where the student is currently or was enrolled. The principal will then forward copies of the records within 10 business days of the request.

The District will provide training or instruction to employees about parents' and eligible students' rights under this policy. Employees will also be informed about the procedures for carrying out this policy.

Upon request of a receiving school to which a student seeks to transfer or has transferred, the District shall provide an accurate record of any suspension or expulsion action taken and the basis for the action against the student.

Police liaison officers, who have gathered information on a student as part of a law

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enforcement function, may share that information with the police department without permission of the student, the student's parent, school officials or power of subpoena.

District officials, at their option, may warn a neighboring school or school district if students with a history of severe discipline problems are planning to visit the neighboring district such as to attend a sporting event or visit the neighboring school for any reason.

It is the responsibility of the Superintendent to annually notify parents and eligible students of their right to inspect and review the student's records, seek amendment of the student's education records, and consent to disclosures of personally identifiable information contained in the student's education records (except to the extent disclosure is authorized without consent). The notice is given in a parents' or eligible student's native language. Should the District collect personal information from students for the purposes of marketing or selling that information, the District will annually notify parents of such activity.

The notice will also include a statement that the parents have a right to file a complaint alleging the District failed to comply with this policy. Complaints are forwarded to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC. 20202-4605.

Cross References:
508, 607, 611

Legal References:
Iowa Code, Chapter 22.7, 279.9A, 279.9B, 280.19A; 280.24, 280.25 Family and Educational Rights to Privacy Act, 20U.S.C. §§ 1232g, 1400 et seq.; No Child Left Behind, P.L.107-110, 34 C.F.R. Pt. 99, Pt. 300; 281 I.A.C. 12.3 (4); 41.

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