

JRA—Student Records

Records Defined

Student records are defined as information about students recorded or collected in any format by this School that may include educational/psychological assessments, school attendance records, personal data, health information, disciplinary actions, and/or academic progress.

It is the policy of the Board that accurate and complete student academic and discipline records shall be maintained for each student enrolled in this School. Confidentiality of student records shall be preserved in compliance with the Family Educational Rights and Privacy Act.

Annual Notification Requirements

The Family Educational Rights and Privacy Act (FERPA) has specified that student records are confidential, with some exceptions. Parents and eligible students (students over the age of eighteen 18) will be provided an annual notification of their rights under FERPA. The annual notice will contain information regarding the right to inspect their children's records, the right to seek an amendment of a record, the right to consent to disclosures of personally identifiable information, with certain exceptions, and the right to file a complaint with the U.S. Department of Education.

This School shall provide such notice through the Student and Parent Handbook.

Right to Inspect Education Records

Parents or eligible students may inspect and review their own personal educational records. This School will comply with a request for access to records within a reasonable period of time, but in no case more than forty-five (45) days after it has received the request. This School will respond to reasonable requests for explanations and interpretations of the records. A copy of the records will be given to the parent or eligible student upon request. The School will not destroy any educational records if there is an outstanding request to inspect and review the records.

Definition of Education Records

Education records are defined as those records directly related to a student and maintained by This School or by a party acting on behalf of this School. Education records include, but are not limited to, the cumulative file, special education records and disciplinary records.

Education records do not include records of instructional, supervisory and administrative personnel—or of educational personnel ancillary to those persons—that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

Personally Identifiable Information

Personally identifiable information will not be released from an education record without the prior written consent of the parent or eligible student, except under specific

circumstances. Personally identifiable information is defined as such information including, but not limited to:

- The student's name;
- The name of the student's parent or other family member;
- The address of the student or student's family;
- A personal identifier such as the student's social security number or student number;
- A list of personal characteristics that would make the student's identification easily traceable; or
- Other information that would make the student's identity easily traceable.

Release of Information Without Prior Consent

Personally identifiable information will be released without prior written consent of the parent or eligible student under the following conditions:

- The disclosure is to other school officials, including teachers within this School who have a legitimate educational interest. A legitimate educational interest includes performing education- or discipline-related tasks in connection with a student, providing services to a student or a student's family, or performing administrative or other educational responsibilities prescribed by the School.
 - A school official is a person employed by the Board as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel, a person serving on the School Board: a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, contractor or outside service provider, medical consultant or therapist; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.)
- The disclosure is to officials of another school, school system or institution of post-secondary education where the student seeks or intends to enroll;
- The disclosure is to state and local educational authorities;
- The disclosure is in connection with financial aid for which the student has applied or which the student has received;
- The disclosure is to organizations conducting studies for, or on behalf of, this School to develop, validate or administer predictive tests, administer student aid programs or improve instruction;
 - When information is disclosed to organizations as set forth in paragraph five (5), the study must be conducted in such a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization. The information must be destroyed when no longer needed for the purposes for which the study was conducted. If a third party violates the requirement to destroy the information when it is no longer needed, this School may not allow that third party access to personally identifiable information from education records for at least five (5) years;

- The disclosure is to an accrediting organization to carry out its crediting function;
- The disclosure is to parents of a dependent student as defined by the Internal Revenue Code;
- The disclosure is to comply with a judicial order or lawfully issued subpoena, provided that this School makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance. However, the prior notification requirement does not apply where the subpoena is issued by a federal grand jury or for any law enforcement purpose and the issuing court or agency has ordered that the subpoena not be disclosed;
- The disclosure is in connection with a health or safety emergency;
- The disclosure is information that this School has designated as “directory information;”
- The disclosure is to the parent of a student who is not an eligible student, or to the student.

This School will maintain a record of each request for access to and each disclosure of personally identifiable information from the information record of each student. This record of access will be maintained with the education records of each student as long as the records are maintained. The access log will specify the individuals who have requested or received personally identifiable information from the education records and the legitimate interest the parties had in requesting or obtaining the information. If the information was released without prior parental consent, the specific exception for such consent will also be set forth.

Directory Information

Directory information is defined as information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to:

- Student name
- Dates of attendance
- Graduation year or grade level
- Participation in officially recognized activities such as sports
- Weight and height of members of athletic teams
- Awards and recognitions received
- Photograph, video, audio or film images or recordings

This School may disclose directory information after giving public notice to parents of students in attendance and eligible students in attendance that:

- All information as set forth in the definition of directory information has been designated as directory information by this School;
- A parent or eligible student has the right to refuse to allow this School to designate any or all of the types of information about the student as directory information;
- A parent or eligible student must notify this School in writing that the parent or eligible student does not want any or all of those types of information about the

student released within thirty (30) days after receiving notice that directory information may be disclosed;

This School may disclose directory information about former students without notice.

Procedure to Amend Records

If a parent or eligible student believes that the educational records relating to the student contain information that is inaccurate, misleading or in violation of the student's right of privacy or other rights, this School may be asked to amend the record. The following procedure will be followed:

- Within thirty (30) days of receiving a request to amend the record, this School will decide whether to amend the record as requested.
- If it is determined by this School not to amend the record as requested, it will inform the parent or eligible student of its decision and the right to a hearing.
- The parent or eligible student, on request, has an opportunity for a hearing to challenge the contents of the student's educational records on the grounds that the information contained in the educational records is inaccurate, misleading or in violation of the privacy or other rights of the student.
- If this School determines that the information being contested is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it will amend the records and inform the parent or eligible student of the amendment in writing.
- If this School decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, the School will inform the parent or the eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of this School, or both.
- If such a statement is received by this School, it will remain a part of the record for as long as the student's record is maintained and the statement will be disclosed whenever this School discloses the portion of the record to which the statement relates. This School will hold the requested hearing within a reasonable time after it receives a request for the hearing. Notice of the date, time, and place will be given to the parent or eligible student within a reasonable amount of time prior to the hearing.
 - The hearing may be conducted by any individual, designated by the Administrator or Board Chair, including an employee of this School, who does not have a direct interest in the outcome of the hearing. The hearing will give the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised. The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
 - This School will make its decision in writing within a reasonable period of time after the hearing.

- The decision will be based solely on the evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision.

Education Records of Students with Disabilities

This School will allow parents of students with disabilities the right to inspect and review any education records relating to their children that are collected, maintained, or used by this School.

The School will also comply with a request to inspect and review records without unnecessary delay, in no case more than forty-five (45) days after the request has been made, in these situations:

1. Before any meeting regarding an Individualized Education Program (IEP);
2. Before any hearing relating to the identification, evaluation, or educational placement of a child; or
3. Before any hearing relating to the provision of a Free Appropriate Public Education (FAPE) to a child.

. In dealing with the education records of exceptional students with disabilities, records will be maintained in accordance with applicable federal, state, and local laws. However, this School may maintain a permanent record of the student's name, address, phone number, grades, attendance records, classes attended, grade level completed, and year completed without time limitation.

Education Records of Transferring Students

Upon the request of a student's records made by a school to which a student is transferring, the secretary preparing the records for transfer shall place any sensitive disciplinary actions in an envelope with the new Administrator's name on it, directly atop all other documents.

References *20 USC 1232g, 34 CFR Part 99, Family Educational Rights and Privacy Act of 1974*
20 USC 1412(2)(D) and USC 1417, 34 CFR §§ 300.560 – 576, Individuals with Disabilities Education Act