

**PROCEDURES AND PRACTICES OF THE SCHOOL DISTRICT
GOVERNING THE MAINTENANCE, TRANSFER, AND
DISCLOSURE OF STUDENT EDUCATIONAL RECORDS**

1. Student educational records and progress records will be maintained on established forms/digital forms that have been adopted for district-wide use (cumulative folders, health records, achievement test labels, attendance registers, etc.). Additional information reports such as observation notes, letters from parents, teacher comments, etc. will be placed in the educational records of students only upon the advice of the school principal or other school official who is responsible for the maintenance of student educational records.
2. The additional information reports, considered to be the property of the school district, shall be maintained in files other than student cumulative folders. This policy shall apply to lesson plans, grade books, observation notes, evaluation comments, case study records, and other similar record forms developed by teachers, school psychologists, therapists, social workers, contractors, and other similarly trained professionals employed by the school district.
3. Achievement tests may be administered without prior parental permission and the results of those tests may become part of the student's educational records. In addition, other tests may be administered upon approval of parents or the appropriate school officials. Results of those additional tests may also be placed in the educational records of students.
4. In compliance with applicable governmental regulations, the record-keeping practices of the school district shall include the following:
 - a. Provision to annually inform parents of their rights regarding the educational records of students;
 - b. Announcement of the procedure to be followed by those who seek to examine, challenge, or obtain copies of student educational records;
 - c. Announcement of the location of student educational records and the responsible school district officials.
5. The District may at the discretion of the superintendent, or his/her designee, disclose directory information without prior or written parental permission. If a parent/guardian does not wish the School District to disclose directory information without consent, the parent/guardian shall

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notify the School District in writing. Directory information, for the purposes of the school district, may include: student name, photograph, address, telephone listing, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and the most recent previous school attended.

6. Personally identifiable information, for the purposes of the school district, may include such information as: names of parents and other family members, health records, identifiers such as student or social security number, descriptions of personal or educational characteristics, test scores and other similar information. Personally identifiable information generally shall require written consent or be required by court order or a lawful subpoena prior to disclosure.
7. Officials of the school district may disclose the educational records of students, without prior or written consent:
 - a. When parents or legal guardians seek to examine the records of their own children;
 - b. To officials of other schools or school systems in which the student seeks or intends to enroll, upon condition the student's parents are notified and receive a copy of the record if desired.
 - c. To officials and employees of the school district who have a legitimate educational interest in those records;
 - d. To eligible students (those who have reached 18 years of age or are attending a post-secondary educational institution) who seek to examine their own educational records;
 - e. To comply with a judicial order or lawfully issued subpoena, provided that a reasonable attempt has been made to notify the parent prior to compliance with the judicial order;
 - f. To appropriate organizations and governmental officials (as specified by the Family Educational Rights and Privacy Act, P. 99.31).

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- g. In connection with a student's application for, or receipt of, financial aid.
- 8. Written records of disclosure will be maintained by the responsible school district officials. Disclosure records will be maintained on approved forms and will be filed with the educational records of students. Records of disclosure will be maintained by the school district.

RIGHTS OF PARENTS UNDER THE PROVISIONS OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

- 1. Parents, legal guardians, and eligible students under the provisions of the Family Educational Rights and Privacy Act are granted the right to examine the educational records of local educational agencies. Upon receipt of the request, the educational agency has a maximum of 45 days in which to comply with that request.
- 2. Unless the school agency has received official or legal evidence to the contrary (legal instrument or court orders governing such matters as divorce, separation, or custody) it may presume that either parent has legal right of access to the records of students, and may honor the written request from either parent.
- 3. No portion of an educational record may be destroyed during the period of time when there is an outstanding request for the disclosure of those records.
- 4. It is permissible to require that the educational records be examined in the presence of a school district official. If the parent requests a copy of the records, the request must be honored (costs of reproduction will be borne by the parent).
- 5. Parents, legal guardians, and eligible students who feel that the contents of educational records are inaccurate, misleading, inappropriate, or in violation of privacy or other rights of students may request that the records be amended.

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6. If the school agrees with the request, the records will be amended and the parent will be advised, in writing, of the agreement.
7. If the education agency does not agree with the request for amendment, the parent must be advised of his/her right to a hearing. All hearings shall be conducted pursuant to the Rules and Regulations of Sheridan County School District No. 2.
8. If the hearing determines that an amendment will be made, the records are amended and the parent informed, in writing, of the changes.
9. If the hearing does not result in a record amendment, the parent must be advised of his right to place a statement of disagreement in the educational record of the student. The disagreement statement must remain as part of the student record as long as the record is maintained by the school district. Any disclosure of the educational record must include the disclosure of the statement of disagreement.

Family Educational Rights and Privacy Act, P. 99.31

See also policies:

BEE Board Hearing/Appeal Procedures
BEE-E Rules of Practice Governing Hearings and
Contested Cases Before the Board of Trustees of Sheridan County
School District Number Two and Procedures to Consider
Recommended Findings from an Independent Hearing Officer

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