

STUDENT PERSONNEL

Series 500

ADMINISTRATIVE REGULATION USE OF EDUCATION RECORDS

No. 506.1R1

Parents/guardians and eligible students will have a right to access a student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. The intent of this regulation is to establish procedures for granting requests from eligible students and parents/guardians to access a student's education records.

Education records mean those records that contain information directly related to students which are maintained by an education agency or institution or by a party acting for the agency or institution. These may include but not necessarily limited to: dates of attendance; academic work completed; level of achievement (grades, standardized test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

A. Access to Records

1. Parents/guardians, eligible students, and other individuals authorized in accordance with law will have access to the student's education records during the regular business hours of the school district. Parents/guardians and eligible students will have a right to access the student's education records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. An eligible student or parent/guardian, upon written request to the board secretary, shall receive an explanation and interpretation of the education records. A student, 18 years or older, has the right to determine who, outside the school system, has access to the records. Parents/guardians of students who are 18 years or older but still dependents for income tax purposes may access the student's records without prior permission of the student.
2. School officials having access to student records are defined as having a legitimate educational interest. A school official is a person employed by the school district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school district has contracted to perform a special task (such as an attorney, auditor, AEA employee, medical consultant, or therapist); or a parent/guardian or student serving on an official committee, such as disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

B. Release of Information Outside of the School Information from education records may be disclosed to outside parties as outlined in board policy and otherwise provided by law.

C. Procedures for Requesting a Record Amendment

1. If the eligible student, parent, or legal guardian believe the information in the education records is inaccurate, misleading, or violates the privacy of the student, the parents/guardians or an eligible

student may request that the school district amend the education student records.

2. The school district will decide whether to amend the education student records within a reasonable time after receipt of the request.
3. If the school district determines an amendment is made to the education student record, the school district will make the amendment and inform the parents/guardians or the eligible student of the decision in writing.
4. If the school district determines that amendment of the student's education record is not appropriate, it will inform the parents/guardians or the eligible student of their right to a hearing before the hearing officer provided by the school district. The hearing officer may be an employee of the school district, so long as the employee does not have a direct interest in the outcome of the hearing.
5. Upon parental/guardian request, the school district will hold a hearing regarding the content of a student's education records which the parent/guardian believes to be inaccurate, misleading, or in violation of the privacy rights of students.
6. The hearing will be held within a reasonable time after receipt of the parent/guardian or eligible student's request. The parent/guardian or eligible student will receive reasonable advance notice of date, time and place of the hearing.
7. The parents/guardians or eligible student will be given a full and fair opportunity to present evidence relevant to the issues. The parent/guardian or eligible student may be represented by an individual at their choice at their own expense.
8. The hearing officer will render a written decision within a reasonable period after the hearing. The decision will be based upon evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
9. The parents/guardians may appeal the hearing officer's decision to the superintendent within 10 days if the superintendent does not have a direct interest in the outcome of the hearing.
10. The parents/guardians may appeal the superintendent's decision or the hearing officer's decision if the superintendent was unable to hear the appeal, to the board within 10 days. It is within the discretion of the board to hear the appeal.
11. If the parent's/guardian's and the eligible student's request to amend the education student record is further denied following the hearing, the parents/guardians or the eligible student are informed that they have a right to place an explanatory letter in the education student record commenting on the school district's decision or setting forth the reasoning for disagreeing with the school district. Additions to the student's education records will become a part of the education student record and be maintained like other education student records. If the school district discloses the education student records, the explanation by the parents/guardians will also be disclosed or the eligible student of the decision in writing.

Date Approved: October 10, 2016

Last Date Reviewed: August 29, 2022

Last Date Revised: August 29, 2022