

# Board Policy

Code No. 506.1R1

## USE OF STUDENT RECORDS REGULATION

Student records are all official records, files, and data directly related to students, including all material incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or school system specifically including, but not necessarily limited to: date; 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.

The intent of this regulation is to establish procedures for granting requests from parents for access to their child's records, use of the data, and procedures for its transmittal within forty-five calendar days.

### A. Access to Records

1. The parent or legal guardian of a student will have access to these records upon written request to the board secretary.

The parent or legal guardian will, upon written request to the board secretary, have the opportunity to receive an interpretation of the records, have the right to question the data, and, if a difference of opinion is noted, shall be permitted to file a letter in the cumulative folder stating the dissenting person's position. If further challenge is made to the record, the normal appeal procedures established by school policy will be followed.

A student, eighteen years or older, has the right to determine who, outside the school system, has access to the records. Parents 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 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, and include, but are not limited to, employees, board members and the school attorney. Legitimate educational interest includes, but is not limited to:
  - a. Performing a task specified in the employee's job description or by contract agreement access in order to fulfill a professional responsibility;
  - b. Performing a task that is related to a student's education;
  - c. Performing a task related to the discipline of a student; or
  - d. Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.

## **B. Release of Information Outside the School**

1. To release student records to other school(s) in which the student intends to enroll, the parents, legal guardian, or eligible student of majority age must be notified of the transfer and the kinds of information being released unless the school district annually notifies parents that the records will be sent automatically.

They will receive a copy of such information if it is requested in writing at a reasonable cost and shall have the opportunity to challenge the records as described above.

2. Student records may be released to official education and other government agencies only if allowed by state or federal law.
3. To release student records to other persons or agencies, written consent shall be given by the parent, legal guardian, or a student of majority age. This consent form will state which records shall be released, to whom they shall be released, and the reason for the release. A copy of the specific records being released will be made available to the person signing the release form if requested.
4. Before furnishing student records in compliance with judicial orders or pursuant to any lawfully issued subpoena, the school district will make a reasonable attempt to notify the parents, legal guardian, or eligible student of majority age in advance.
5. Student records may be disbursed by the administration following: (1) proper notification of students and guardians and (2) an opportunity for the student or guardian to request the information not be disbursed. Any request restricting distribution will be honored.
6. Student records may be shared with juvenile justice agencies with which the school district has an interagency agreement. This information is shared without prior parental consent. The agreement is a public document available for inspection.

### **Hearing Procedures**

1. Upon parental request, the school district will hold a hearing regarding the content of a student's records which the parent believes to be inaccurate, misleading, or in violation of the privacy rights of students.
2. The hearing will be held within a reasonable time after receipt of the parent or eligible student's request. The parent or eligible student will receive reasonable advance notice of date, time and place of the hearing.
3. 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.
4. The parents or eligible student will be given a full and fair opportunity to present evidence relevant to the issues. The parent or eligible student may be represented by an individual of their choice at their own expense.
5. 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.
6. The parents may appeal the hearing officer's decision to the superintendent within five (5) days if the superintendent does not have a direct interest in the outcome of the hearing.
7. The parents 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 five (5) days. It is within the discretion of the board to hear the appeal.

Bettendorf Community School District  
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