

## STUDENT RECORDS

Parents and guardians have the right to inspect and review any school records dealing with their children. Students eighteen (18) years of age or older have the sole right to inspect and review their respective student records. Review and dissemination of any student information shall be conducted under strict statutory precautions. *Student records* are defined to be all official records, files, documents, and other materials directly related to children, including all material that is 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. Such items include, but are not necessarily limited to, identifying data, academic work completed, grades, standardized test scores, attendance data, scores on standardized intelligence, aptitude, and psychological tests, and health data.

### ANNUAL NOTIFICATION

All parents/guardians shall be notified annually of their rights under the *Family Educational Rights and Privacy Act of 1974* (FERPA). Such notification shall be made annually by publication in student handbooks, newsletters, notification to student's home by students, by mail, or publication in the official journal, or in such manner as deemed appropriate by the Board.

### DIRECTORY INFORMATION

Information classified as directory information may be disclosed from a student's record without the written consent of the parent or eligible student. *Directory information* has been designated by the School Board to include the student's name, address, telephone number, date and place of birth, grade level, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent previous school attended and photograph or video. A parent or eligible student may refuse to allow the Board to designate any or all of the types of information about the student as directory information thus prohibiting its release to the public. After proper notice, a parent or eligible student shall have thirty (30) days in which to notify the School Board as to which types of information about the student shall not be designated as directory information.

In accordance with the *No Child Left Behind Act of 2001*, schools shall honor the requests of military recruiters for names, addresses and phone numbers of high school students, unless parents have specified that such information not be released to such recruiters.

### ACCESS TO RECORDS

1. The parent or legal guardian of a student will have access to student records upon written request to the principal maintaining those records within the school system no more than forty-five (45) days after the date of the request.

If the student is eighteen (18) years or older, only the student has the right to determine who, outside the school system, has access to his/her records.

The parent, legal guardian or student, if the student is eighteen (18) or over, will, upon written request to the principal maintaining those records, have the right to question those data, and if a difference of opinion is noted, shall be permitted to file a letter in said cumulative folder stating their position. If further challenge is made to the record, the normal appeal procedures established by Board policy will be followed.

2. School personnel having access to those data are defined as any person or persons under contract to the system and directly involved in working toward either the affective or cognitive goals of the system.

### RELEASE OF INFORMATION OUTSIDE THE SCHOOL SYSTEM

1. To release student records to other schools or school systems in which the student intends to enroll, the parents, legal guardian or the student, if he/she is eighteen (18) years or over, must be notified of the transfer and the kinds of information being released. They shall receive a copy of such information if it is requested in writing and shall have the opportunity to challenge that record as described above.
2. Those data may be released to State Education and other governmental agencies only if the names and all identifying markings are removed to prevent the identification of individuals.
3. To release student records to other persons or agencies, written consent shall be given by the parent, legal guardian or the student if he/she is eighteen (18) or older. Such consent form shall state which records shall be released, to whom they shall be released and the reason for the release. A copy of the student record being sent shall be made available to the person signing the release forms if he/she so desires.
4. The principal of a public elementary or secondary school shall provide for the transfer of the education records of any current or former student at his/her school upon the written request of any authorized person on behalf of a public or nonpublic elementary or secondary school, or an educational facility operated within any correctional or health facility, whether within or outside the state of

Louisiana, where such student has become enrolled or is seeking enrollment. Under no circumstances may a school or school district refuse to promptly transfer the records of any child withdrawing or transferring from the school. Transfer of records shall not exceed ten (10) business days from the date of a written request.

5. Student records shall be furnished in compliance with judicial orders, or pursuant to any lawfully issued subpoena if the parents, legal guardian and students are notified in advance.
6. All authorizations for release of information shall be filed in the student cumulative folder.
7. The School Board and employees may disclose education records or information from education records, *without the consent* of the parent or guardian of the student who is the subject of the records, to certain law enforcement officials. Disclosure of such records or information shall be in accordance with the following provisions:
  - a. Disclosure of education records or information from education records shall *only* be made to state or local law enforcement officials or to other officials within the juvenile justice system. Verification of the official's position may need to be made before the disclosure of records or information.
  - b. The disclosure of the education record or information must relate to the ability of the juvenile justice system to serve, prior to adjudication, the student whose records or information is to be disclosed.
  - c. The officials to whom the records or the information are disclosed shall certify in writing that that person, and any agency or organization with which that person is affiliated, shall keep the personally identifiable portions of the records or the information confidential and shall not disclose the personally identifiable portions of the records or the information to any person, agency, or organization except a person, agency, or organization within the juvenile justice system having an independent right to the information.
  - d. Any other provisions necessary to comply with federal law or rules.

#### REVIEW OF STUDENT RECORDS BY THE PARENT

1. Schools shall provide for the review of student records by parents or guardians. Parents and students shall be given notification of their right to review the student records.

2. A parent or guardian who desires to review his/her child's record shall contact the school for an appointment. A conference shall be scheduled as soon as possible, not to exceed one month. The disclosure record shall be completed at the time of the conference.

Prior to the scheduled conference, the principal shall review the record for accuracy and completeness.

3. The record shall be examined by the parent in the presence of the principal or a designated professional person.

The principal or a designated professional person shall provide the parent an opportunity to raise questions regarding information on the records.

A record of the review shall be made on the disclosure record.

4. If the parent or guardian requests a hearing to challenge information contained in the student's folder, a written request for the hearing shall be made and a hearing scheduled for a date not less than three (3) working days or more than two (2) weeks from the date of the requests.

- a. The hearing shall be held with the principal and the parent or guardian at the scheduled time.

- b. If the parent or guardian is not satisfied with the hearing with the principal, he/she shall have the opportunity to appeal the decision to the Superintendent or designee(s).

- c. The parent or guardian shall request the appeal in writing to the Superintendent and/or his/her designee. Upon receipt of said request, the Superintendent or designee shall schedule a hearing within ten (10) working days following receipt of the parent's request. The date, time and place of the review hearing shall be sent to the parent or guardian by United States registered or certified mail, return receipt requested.

5. At the review hearing:

- a. The Superintendent or designee shall preside;

- b. The parent or guardian and the principal shall be present. The student shall be present if requested by the parent or guardian or school official;

- c. The decision of the hearing shall be communicated to the school and parent or guardian in writing within ten (10) working days;

- d. The parent shall have the right to file a dissenting statement concerning the hearing; such statement shall become part of the student's cumulative folder.

#### DESTRUCTION OF RECORDS

1. When the parent, guardian, or student 18 years of age or older requests the destruction of their student record, a formal written request shall be provided by the parent, guardian, or student to the Superintendent prior to the destruction of the record.
2. When information on a child is no longer needed for the provision of educational services, the parent, legal guardian, or child 18 years of age or older must be informed and their written consent provided prior to the destruction of the record. A permanent record of the student's name, address, phone number, grades, attendance record, classes attended (including annual IEP), grade level completed, and year completed may be maintained without time limitation.
3. Once the aforementioned criteria have been met, personnel shall adhere to the following safeguards:
  - a. The files will be shredded by appropriate special education personnel in the Special Education Office.
  - b. The files will be destroyed in the presence of two (2) witnesses.

Revised: December, 2009

Ref: 20 USC 1232 (g-i) (Family Educational Rights and Privacy Act), 34 CFR 99.1-99.67; 20 USC 7908; La. Rev. Stat. Ann. §§17:81, 17:112, 17:1955.