

1 Joint School District No. 2, Meridian  
2 Meridian Technical Charter High School, Inc. has adopted West Ada's (Joint School District No. 2) policy.  
3 STUDENT PERSONNEL

4  
5 Series 500

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7 Policy Title Education Records Policy 504.60

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10 **Education Records**

11 Education records include a range of information about a student that is maintained in  
12 schools in any recorded way, such as handwriting, print, computer media, video or audio  
13 tape, film, microfilm and microfiche. Student education records are confidential. Records  
14 include:

- 15  
16 1. date and place of birth, parents and/or guardian addresses  
17 2. transcripts, schools attended, and special education records  
18 3. disciplinary records (severe disruptive behavior)  
19 4. medical and health records collected and maintained by the school  
20 5. personal information such as a student's identification number, social security  
21 number, and school pictures

22  
23 Records falling within the definition of "education record" pursuant to the Family  
24 Educational Rights and Privacy Act (FERPA) do not fall within the purview of HIPAA  
25 requirements. Reports, evaluations, summaries received by a school, including health  
26 records may be shared with individuals with legitimate educational interest and will move  
27 with a student if he/she transfers.

28  
29 Personal notes made by teachers and other school officials that are not shared with  
30 others (except substitutes) are not considered education records.

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32 **Student's Legal Name**

33 The use of the student's legal name is required in the permanent file.

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35 **Disclosure of Education Records**

36 Joint School District No. 2 will disclose information from a student's education records  
37 only with the written consent of the parent/guardian or eligible student, with the  
38 exception that the district may disclose without consent when the disclosure is:

- 39 1. To school officials who have a legitimate educational interest in the education  
40 records. A school official is:  
41 a. A person employed by the district as an administrator, supervisor,  
42 instructor, or support staff member, including health and medical staff.  
43 b. A person elected or appointed to the board of trustees.  
44 c. A person employed by or under contract to the district to perform a  
45 special task, such as an attorney, auditor, medical consultant, or  
46 therapist.  
47 d. A person who is employed as a school resource officer.

48  
49 A school official has a legitimate educational interest if the official is:

- 50 a. Performing a task that is specified in his or her position description or by a  
51 contract agreement.

- 52           b.       Performing a task related to a student's education.  
 53           c.       Performing a task related to the discipline of a student.  
 54           d.       Providing a service or benefit relating to the student or student's family,  
 55                such as health care, counseling, job placement, or financial aid.  
 56           e.       Maintaining the safety and security of the campus.  
 57  
 58       2.       To officials of another school, upon request, in which a student seeks or intends  
 59                to enroll.  
 60       3.       To officials of the U.S. Department of Education, the Comptroller General, the  
 61                state and local educational authorities, in connection with audit or evaluations of  
 62                state or federally supported education programs.  
 63       4.       In connection with a student's request of financial aid to determine the eligibility,  
 64                amount, or conditions of the financial aid, or to enforce the terms and conditions  
 65                of the aid.  
 66       5.       To state and local officials or authorities if specifically required by a state law.  
 67       6.       To organizations conducting studies for or on behalf of the district.  
 68       7.       To accrediting organizations to carry out their functions.  
 69       8.       To parents/guardians of an eligible student if the student is a dependent for  
 70                income tax purposes.  
 71       9.       To comply with a judicial order or a lawfully issued subpoena.  
 72       10.      To appropriate parties in a health or safety emergency.  
 73       11.      To individuals requesting directory information so designated by the district.  
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#### 75 **Family Educational Rights and Privacy Act Requirements (FERPA):**

76 Students and parents/guardians will be given notification of their rights as defined by  
 77 FERPA once every year. This notification will be given using a mass media tool. The  
 78 annual notice will contain information regarding the right to inspect their child's education  
 79 records, the right to seek an amendment to the record, and the right to consent to the  
 80 disclosure of personally identifiable information. The notice will also inform the students  
 81 and parents/guardians of their right to file a complaint with the U.S. Department of  
 82 Education.  
 83

#### 84 **Inspection of Records**

85 Student education records will be available for inspection by parents/guardians and  
 86 eligible students upon written request. The request will be granted within a reasonable  
 87 time (not to exceed forty-five (45) calendar days). When an education record contains  
 88 information about students other than a parent's child or the eligible student, the parent  
 89 or eligible student may not inspect and review the portion of the education record that  
 90 pertains to other students.  
 91

#### 92 **Record of Requests**

93 The district will maintain a record of all requests for information from a student's  
 94 education records. The record will indicate the name of the party making the request,  
 95 any additional party to whom the information may be re-disclosed, and the legitimate  
 96 interest the party had in requesting or obtaining the information. The record may be  
 97 reviewed by the parent/guardian or eligible students.  
 98

#### 99 **Non-custodial Parent**

100 Access to education records and information pertaining to a minor child including, but  
 101 not limited to, medical, dental, health, and school or educational records, shall not be  
 102 denied to a parent because the parent is not the child's custodial parent. If the custodial

103 parent requests in writing, the school district will remove information regarding the  
104 address of the minor child prior to providing the information to the non-custodial parent.

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### 106 **Record Amendment**

107 Parents/guardians or eligible students have the right to ask to have education records  
108 corrected they believe are inaccurate, misleading, or in violation of their privacy rights.  
109 Following are the procedures for the correction of education records:

110

- 111 1. Parents/guardians or the eligible student must ask the district to amend an  
112 education record. In so doing, they should identify the part of the education  
113 record they want changed and specify why they believe it is inaccurate,  
114 misleading or in violation of the student's privacy rights.
- 115 2. The district may comply with the request or it may decide not to comply. If it  
116 decides not to comply, the district will notify the parents/guardians or eligible  
117 student of the decision and advise them of their right to a hearing to challenge  
118 the information believed to be inaccurate, misleading, or in violation of the  
119 student's privacy rights.
- 120 3. Upon request, the district will arrange for a hearing, and notify the  
121 parents/guardians or eligible student, reasonably in advance, of the date, place,  
122 and time of the hearing.
- 123 4. The hearing will be conducted by a district official. The parents/guardians or  
124 eligible student shall be afforded a full and fair opportunity to present evidence  
125 relevant to the issues raised in the original request to amend the student's  
126 education records. The parents/guardians or student may be assisted by an  
127 attorney.
- 128 5. The district will prepare a written decision based solely on the evidence  
129 presented at the hearing. The decision will include a summary of the evidence  
130 presented and the reasons for the decision.
- 131 6. If the district decides that the information is inaccurate, misleading, or in violation  
132 of the student's right of privacy, it will amend the education record and notify the  
133 parents/guardians or eligible student, in writing, that the education record has  
134 been amended.
- 135 7. If the district decides that the challenged information is not inaccurate,  
136 misleading, or in violation of the student's right of privacy, it will notify the  
137 parents/guardians or eligible student that they have a right to place in the  
138 education record a statement commenting on the challenged information and/or  
139 a statement setting forth reasons for disagreeing with the decision. The  
140 statement will be maintained as part of the student's education records as long  
141 as the contested portion is maintained. If the district discloses the contested  
142 portion of the record, it must also disclose the statement.

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### 144 **Time Requirements for Maintaining Educational Records**

145 The General Education Provisions Act and the federal regulations for State-Administered  
146 Programs both require that records be retained for at least five (5) years. With the  
147 exception of permanent education records, education records will only be kept for a  
148 period of five (5) years after the student graduates from high school or withdraws from  
149 the school district.

### 150 **Permanent Education Record**

151 Elementary, middle school, and high school personnel will maintain the education record  
152 of students not currently in the district system for five years. The following information  
153 will be maintained in the permanent education record:

- 154 1. Student's name  
 155 2. Grades  
 156 3. Attendance summary  
 157 4. Entrance and withdrawal record  
 158 5. Birthdate and place of birth  
 159 6. Student identification number  
 160 7. Transcripts  
 161 8. Educational assessment data

162 The permanent education record of each student is maintained at the school level. The  
 163 principal, individual teachers and special education personnel may also have files  
 164 containing specific educational records.  
 165

### 166 **Directory Information**

167 Directory information can be made public if the district provides parents/guardians  
 168 written notice. This notice will be given annually, in writing, using public media and/or the  
 169 district website, school newsletters, school newspapers, and in information provided at  
 170 student registration. The notice will include:

- 171 1. The information designated as directory information.  
 172 2. The right of the parent or eligible student to refuse to allow the district to disclose  
 173 the directory information regarding that particular student. This request must be  
 174 received in writing within 30 calendar days of receipt of the notice.  
 175

176 Directory information includes:

- 177 1. student name  
 178 2. address  
 179 3. telephone listing  
 180 4. birthday  
 181 5. attendance dates, awards earned, honor roll data, and diploma earned  
 182 6. participation in officially recognized activities such as sports  
 183 7. weight and height of members of athletic teams  
 184 8. information typically found in school yearbooks or athletic programs  
 185 9. photographs or videotapes of the student used by the district for recognition of  
 186 student achievement and for community relations, including but not limited to  
 187 inclusion in District publications, video presentations, and on the District's web  
 188 site  
 189

190 Directory information will be made available to the military or institutions of higher  
 191 education according to the No Child Left Behind Act (ESEA 2001). As a general  
 192 practice, directory information will not be given out.  
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### 194 **Transfer of Records**

195 Whenever a student transfers from one school to another, within the district, the sending  
 196 school will transfer all education records to the appropriate school. Whenever a student  
 197 transfers from one school to another, within the state, or elsewhere, and the sending  
 198 school is requested to forward student education records, the sending school shall  
 199 respond by forwarding a certified copy of the transferred student's education record  
 200 within ten days (exception according to Idaho Code 18-4511).  
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### 202 **Disciplinary Records**

203 When an education record contains information of violent or disruptive behavior or  
 204 disciplinary action of a student, the information must be included in the transfer of

205 student education records. The disciplinary information must be transferred by placing it  
206 in a sealed envelope, marked confidential, and addressed to the principal or assistant  
207 principal.

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### 209 **Students with Disabilities**

210 The parents/guardians of students with disabilities have the right to inspect and review  
211 the educational records of their child upon written request. The request will be granted  
212 within a reasonable time (not to exceed forty-five (45) calendar days). Typical situations  
213 for request include:

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

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220 Parents/guardians of students with disabilities shall be notified when personally  
221 identifiable information that has been collected (more than five (5) years old) is no longer  
222 needed to provide services to the child. The information must be destroyed at the  
223 request of the parent/guardian. Permanent information will not be destroyed.  
224 Permanent education records include the student's name, address, phone number,  
225 grades, attendance records, classes attended, immunizations, and the grade level and  
226 year that the highest level was attained.

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238 Date of Revisions:

239 01/12/10; 12/14/10

240 03/15/11; 01/10/12;

241 12/18/12

Legal Reference: Code of Idaho  
32-717A, The Family Education  
Rights and Privacy Act of 1974,  
Individuals with Disabilities Act