

## **Student Records/Release of Information of Students/Release of Names**

### **1. Content and custody of records**

Student education records may contain, but will not necessarily be limited to, the following information: identifying data; academic work completed; level of achievement (grades, standardized achievement 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 reports of serious or recurrent behavior patterns.

All requests for inspection and review of student education records and requests for copies of such records, as well as disclosure of personally identifiable information except as provided by law, will be maintained as a part of each student's record.

The principal is the official custodian of student records in his or her building.

### **2. Access to records by parent**

A parent or guardian and any student 18 years old or older, has the right to inspect and review the student's education files. If a student is 18 years old or older, the parent or guardian may not inspect or review the student records without written permission from the student. A student 18 years old or older is referred to as an "eligible student."

During inspection and review of student records by a parent or eligible student and when requested by them, the principal will provide personnel necessary to give explanations and interpretations of the student records.

In all cases where access to student records is requested, except as provided in this policy, a written request to see the files must be made by the parent or eligible student. The principal, upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review. In no case will the date set by more than three working days after the request has been made.

The parent or eligible student shall examine the student's records in the presence of the principal and/or other person(s) designated by the principal. Only certificated personnel such as the vice principal or counselor may be so designated.

The record itself shall not be taken from the school building. However, upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student as a cost of \$0.10 per page.

**3. Requesting records from other districts/schools**

When a student transfers to this school district from another district, the principal of the receiving school will ask the parent or eligible student to sign a form requesting the other school district to transfer the student's records. This form will be completed by the principal and forwarded to the school of previous attendance.

**4. Request to amend education records**

A parent or eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student by writing to the school principal, clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student. The request to the principal to amend a student's records must be made in writing within 10 school days of the date the records were first examined.

If the principal, after consulting with any other person having relevant information, decides not to amend the record as requested by the parent or eligible student, the principal will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

A request for a formal hearing must be made in writing and addressed to the superintendent of schools. The response to the request must be mailed within 10 school days. The hearing will be held in accordance with the following:

- a. The hearing will be held within 15 school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent or eligible student by certified mail.
- b. The hearing will be conducted by a principal or higher administrative official as designated in writing by the superintendent. The official conducting the hearing shall not be the principal who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.

- c. Parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
  - d. The official designated above shall make a decision in writing within 10 school days following the conclusion of the hearing and shall notify the parent or eligible student of that decision by certified mail.
  - e. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
  - f. The decision shall include a statement informing the parents or eligible student of their right to place in the student records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the school district. If the student record is disclosed by the school to any other party, the explanation shall also be disclosed to that party.
5. **Disclosure without written consent**  
The school district will disclose personally identifiable information from student records without written consent of the parent or eligible student only to those persons or entities allowed under federal or state law to receive such information.
- The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.
6. **Disclosure to military recruiting officers**  
Names, addresses and home telephone numbers of secondary school students will be released to military recruiting officers unless a student submits a written request that such information not be released. Actual expenses in furnishing this information will be paid by the requesting service.
7. **Disclosure to other parties**  
Except as noted in this policy, student records will not be released to other individuals and parties without a written request and authorization of the parent or eligible student.

Personal information will only be released to a third party with the assurance it will be kept confidential.

**8. Disclosure of directory information**

The school district may disclose directory information without written consent of the parent or eligible student. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if such refusal is received in writing in the office of the principal of the school where the student is in attendance no later than September 7 or the following Monday if September 7 is a Saturday or Sunday.

Directory information which may be released may include the student's name, date and place of birth, 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, the most recent previous education agency or institution attended by the student, and other similar information. Student telephone numbers and addresses will not be disclosed pursuant to Colorado law.

**9. Annual notification of rights**

The district will notify parents and eligible students of their rights pursuant to this policy at the beginning of each academic year. The notice will be in the form provided as exhibited in the procedures of this policy. For notice to parents or eligible students who are disabled or whose primary or home language is other than English, the format or method of notice will be modified so it is reasonably likely to inform them of their rights.

A copy of the Family Educational Rights and Privacy Act and this policy on student records shall be on file in the office of each building principal and of each individual who carries out procedures relative to the act or policy.

**10. Waivers**

A parent or eligible student may waive any or all rights protected by this policy. The waiver shall not be valid unless in writing and signed by the parent or eligible student. The district does not require a waiver but may request a waiver. Any waiver under this provision may be revoked at any time in writing.

**Release of Names:**

No school employee shall furnish to anyone, other than school officials, any names or addresses of pupils, parents or school employees unless permission to do so is specifically given by the Superintendent of Schools or his designee.

LEGAL REFS.: 20 U.S.C. Section 1232g (Family Educational Rights and  
Privacy Act)  
34 C.F.R. Section 99.1 *et seq.* (regulations)  
C.R.S. 24-72-204 (3)

ADOPTED: 7/80

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