

STUDENT RECORDS ACCESS

The board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages. The board secretary is the custodian of student records. Student records may be maintained in the central administration office or administrative office of the student's attendance center.

Parents and eligible students will have access to the student's records during the regular business hours of the school district. An eligible student is a student who has reached eighteen years of age or is attending an institution of postsecondary education at the post high school level. Parents of an eligible student are provided access to the student records only with the written permission of the eligible student unless the eligible student is defined as a dependent by the Internal Revenue Code. In that case, the parents may be provided access without the written permission of the student. A representative of the parents or eligible student, who has received written permission from the parents or eligible student, may inspect and review a special education student's records. Parents, other than parents of an eligible student, may be denied access to a student's records if the school district has a court order stating such or when the district has been advised under the appropriate laws that the parents may not access the student records. Parents may inspect an instrument used for the purpose of collection of student personal information prior to the instrument's use.

A student record may contain information on more than one student. Parents will have the right to access the information relating to their student or to be informed of the information. Eligible students will also have the right to access the information relating to them selves, or be informed of the information.

Parents and eligible students will have a right to access the student's records upon request without unnecessary delay and in no instance more than forty-five calendar days after the request is made. Parents, an eligible student or an authorized representative of the parents will have the right to access the student's records prior to an Individualized Education Program (IEP) meeting or hearing.

Copies of student records will be provided if failure to do so would effectively prevent the parents or student from exercising the right to access the student records. Fees for copies of the records are waived if it would prevent the parents or student from accessing the records. A fee may not be charged to search or retrieve information from student records.

Upon the request of parents or an eligible student, the school district will provide an explanation and interpretation of the student records and a list of the types and locations of education records collected, maintained or used by the school district.

If the parents or an eligible student believes the information in the student records is inaccurate, misleading or violates the privacy or other rights of the student, the parents or an eligible student may request that the school district amend the student records. The school district will decide whether to amend the student records within a reasonable time after receipt of the request. If the school district determines an amendment is made to the student record, the school district will make the amendment and inform the parents or the eligible student of the decision in writing.

If the school district determines that amendment of the student's record is not appropriate, it will inform the parents or the eligible student of their right to a hearing before the hearing officer provided by the school district.

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If the parents' and the eligible student's request to amend the student record is further denied following the hearing, the parents or the eligible student are informed that they have a right to place an explanatory letter in the student record commenting on the school district's decision ~~and~~ or setting forth the reasoning for disagreeing with the school district. Additions to the student's records will become a part of the student record and be maintained like other student records. If the school district discloses the student records, the explanation by the parents will also be disclosed.

Student records may be disclosed in limited circumstances without parental or eligible student's written permission. This disclosure is made on the condition that the student record will not be disclosed to a third party without the written permission of the parents or the eligible student. This disclosure may be made to the following individuals or under the following circumstances:

- to school officials within the school district and AEA personnel whom the superintendent has determined to have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, and individuals serving on official school committees;
- to officials of another school district in which the student wishes to enroll, provided the other school district notifies the parents the student records are being sent and the parents have an opportunity to receive a copy of the records and challenge the contents of the records unless the annual notification includes a provision that records will automatically be transferred to new school districts;
- to the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education or state and local educational authorities;
- in connection with financial aid for which the student has applied or which the student has received if the information is necessary to receive the financial aid;
- to organizations conducting educational studies and the study does not release personally identifiable information;
- to accrediting organizations;
- to parents of a dependent student as defined in the Internal Revenue Code;
- to comply with a court order or judicially issued subpoena;
- consistent with an interagency agreement between the school district and juvenile justice agencies;
- in connection with a health or safety emergency; or,
- as directory information.

The superintendent will keep a list of the individuals and their positions who are authorized to view a special education student's records without the permission of the parents or the eligible student. Individuals not listed are not allowed access without parental or an eligible student's written permission. This list must be current and available for public inspection and updated as changes occur.

The superintendent will also keep a list of individuals, agencies and organizations which have requested or obtained access to a student's records, the date access was given and their legitimate educational interest or purpose for which they were authorized to view the records. The superintendent, however, does not need to keep a list of the parents, authorized educational employees, officers and agencies of the school district who have accessed the student's records. This list for a student record may be accessed by the parents, the eligible student and the custodian of student records.

Permanent student records, including a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation. Permanent student records will be kept in a fire-safe vault.

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When personally identifiable information, other than permanent student records, no longer needs to be maintained by the school district to provide educational services to a special education student, the parents or eligible student are notified. This notice is normally given after a student graduates or otherwise leaves the school district. If the parents or eligible student request that the personally identifiable information be destroyed, the school district will destroy the records. Prior to the destruction of the records, the school district must inform the parents or eligible student the records may be needed by the parents or eligible student for social security benefits or other purposes. In the absence of parents or an eligible student's request to destroy the records, the school district must maintain the records for at least three years after an individual is determined to be no longer eligible for special education.

The school district will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The school district will enter into an interagency agreement with the juvenile justice agencies involved.

The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication in order to promote and collaborate between the school district and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the school district to the agencies after adjudication only with parental consent or a court order.

Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.

Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law.

Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian. The school district may discontinue information sharing with an agency if the school district determines that the agency has violated the intent or letter of the agreement.

Agencies will contact the principal of the attendance center where the student is currently or was enrolled. The principal will then forward copies of the records within 10 business days of the request.

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The school district will provide training or instruction to employees about parents' and eligible students' rights under this policy. Employees will also be informed about the procedures for carrying out this policy.

It is the responsibility of the superintendent to annually notify parents and eligible students of their right to inspect and review the student's records. The notice is given in a parents' or eligible student's native language. Should the school district collect personal information from students for the purposes of marketing or selling that information, the school district will annually notify parents of such activity.

The notice will include a statement that the parents have a right to file a complaint alleging the school district failed to comply with this policy. Complaints are forwarded to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, Washington, DC. 20202-4605.

Legal Reference: No Child Left Behind, Title IX, Sec. 9528, P.L.107-110 (2002).
USA Patriot Act, Sec. 507, P.L. 107-56. (2001).
20 U.S.C. § 1232g, 1415 (1994).
34 C.F.R. Pt. 99, 300.560 - .574 (2002).
Iowa Code §§ 22; 279.9B, 280.24,.25, 622.10 (2005).
281 I.A.C. 12.3(6); 41.20
1980 Op. Att'y Gen. 720, 825.

Cross Reference: 501 Student Attendance
505 Student Scholastic Achievement
506 Student Records
507 Student Health and Well-Being
603.3 Special Education
708 Care, Maintenance and Disposal of School District Records
901.1 Public Examination of School District Records

Approved April 2013

Reviewed March 2013

Revised June 2008

STUDENT RECORDS CHECKLIST

| | Copy to Parent Upon Request | Parent Sig. Required** | User Must Sub. Written Reg.* | No Parent Sig. Required | Parent Notify in Advance | Parent Notify of Release | Req. Made Part of Stud. Rec. | Sche. Hearing Foll. b/wrtn. decision t/Par. | |
|--|-----------------------------|------------------------|------------------------------|-------------------------|--------------------------|--------------------------|------------------------------|---|------------------------------|
| Subpoena or Judicial Order | | | | • | • | | | | Lawfully Issued |
| Student Financial Aid | | | | • | | | | | Written Request |
| School or Staff in Same School System | | | | • | | | | | No Written Request Necessary |
| Other School System Where Student Plans to Enroll | • | | • | • | | • | • | | 506.1E2 |
| United States Comptroller General | | | • | • | | | • | | 506.1E2 |
| Dept. of Health, Education and Welfare Secretary | | | • | • | | | • | | 506.1E2 |
| National Institute of Education | | | • | • | | | • | | 506.1E2 |
| Iowa Dept. of Education Official | | | • | • | | | • | | 506.1E2 |
| Parent Inspection of Student Educational Records | • | • | | | | | | | 506.1E5 |
| Parent Request for Hearing to Challenge Record | | • | | | | | | • | 506.1E4 |
| Parent Authorization for School to Release Information | • | • | | | | | | | 506.1E3 |
| Notification of Transfer of Student Records | • | | | • | | | | | 506.1E6 |

*Such written request is available for inspection by the parent or student and the school official responsible for record maintenance.

**When a student has attained the age of 18 years or is attending an institution of post-secondary education, the permission or consent required of the rights accorded the parent of the student will thereafter be required of and accorded only to the student.

REQUEST OF NONPARENT FOR EXAMINATION OR COPIES OF STUDENT RECORDS

The undersigned hereby requests permission to examine the New Hampton Community School District's official student records of:

(Legal Name of Student) (Date of Birth)

The undersigned requests copies of the following official student records of the above student:

The undersigned certifies that they are (check one):

- (a) An official of another school system in which the student intends to enroll. ()
- (b) An authorized representative of the Comptroller General of the United States. ()
- (c) An authorized representative of the Secretary of the U.S. Department of Education or U.S. Attorney General ()
- (d) An administrative head of an education agency as defined in Section 408 of the Education Amendments of 1974. ()
- (e) An official of the Iowa Department of Education. ()
- (f) A person connected with the student's application for, or receipt of, financial aid (SPECIFY DETAILS ABOVE.) ()
- (g) A representative of a juvenile justice agency with which the school district has an interagency agreement. ()

The undersigned agrees that the information obtained will only be redisclosed consistent with state or federal law without the written permission of the parents of the student, or the student if the student is of majority age.

(Signature)

(Title)

(Agency)

APPROVED:

Signature: _____
Title: _____
Dated: _____

Date: _____
Address: _____
City: _____
State: _____ ZIP: _____
Phone Number: _____

AUTHORIZATION FOR RELEASE OF STUDENT RECORDS

The undersigned hereby authorizes New Hampton School District to release copies of the following official student records:

Concerning: _____ (Full Legal Name of Student) _____ (Date of Birth)

_____ from 20 ____ to 20 ____
(Name of Last School Attended) (Year(s) of Attend.)

The reason for this request is: _____

My relationship to the child is: _____

Copies of the records to be released are to be furnished to:

- the undersigned
- the student
- other (please specify) _____

(Signature)

Date: _____

Address: _____

City: _____

State: _____ ZIP _____

Phone Number: _____

REQUEST FOR HEARING ON CORRECTION OF STUDENT RECORDS

To: _____ Address: _____
Board Secretary (Custodian)

I believe certain official student records of my child, _____, (full legal name of student), _____ (school name), are inaccurate, misleading or in violation of privacy rights of my child.

The official education records which I believe are inaccurate, misleading or in violation of the privacy or other rights of my child are:

The reason I believe such records are inaccurate, misleading or in violation of the privacy or other rights of my child is:

My relationship to the child is: _____

I understand that I will be notified in writing of the time and place of the hearing; that I will be notified in writing of the decision; and I have the right to appeal the decision by so notifying the hearing officer in writing within ten days after my receipt of the decision or a right to place a statement in my child's record stating I disagree with the decision and why.

(Signature)

Date: _____

Address: _____

City: _____

State: _____ ZIP _____

Phone Number: _____

REQUEST FOR EXAMINATION OF STUDENT RECORDS

To: _____ Address: _____
Board Secretary (Custodian)

The undersigned desires to examine the following official education records.

of _____ , _____
(Full Legal Name of Student) (Date of Birth) (Grade)

(Name of School)

My relationship to the student is: _____

(check one)

I do
 I do not

desire a copy of such records. I understand that a reasonable charge may be made for the copies.

(Parent's Signature)

APPROVED:

Date: _____

Address: _____

Signature: _____

City: _____

Title: _____

State: _____ ZIP _____

Dated: _____

Phone Number: _____

NOTIFICATION OF TRANSFER OF STUDENT RECORDS

To: _____ Date: _____
Parent/or Guardian

Street Address: _____
City/State _____ ZIP: _____

Please be notified that copies of the New Hampton Community School District's official student records concerning _____, (full legal name of student) have been transferred to:

School District Name Address

upon the written statement that the student intends to enroll in said school system.

If you desire a copy of such records furnished, please check here _____ and return this form to the undersigned. A reasonable charge will be made for the copies.

If you believe such records transferred are inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, you have the right to a hearing to challenge the contents of such records.

(Name)

(Title)

LETTER TO PARENT REGARDING RECEIPT OF A SUBPOENA

Date

Dear (Parent) :

This letter is to notify you that the New Hampton Community School District has received a (subpoena or court order) requesting copies of your child's permanent records. The specific records requested are _____.

The school district has until (date on subpoena or court order) to deliver the documents to (requesting party on subpoena or court order) . If you have any questions, please do not hesitate to contact me at (phone #) .

Sincerely,

(Principal or Superintendent)

JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

Statement of Purpose: The purpose of this Agreement is to allow for the sharing of information among the School District and the Agencies prior to a student's adjudication in order to promote and collaborate to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

Identification of Agencies: This agreement is between the New Hampton Community School District (hereinafter "School District") and (agencies listed) (hereinafter "Agencies").

Statutory Authority: This agreement implements Iowa Code § 280.25 and is consistent with 34 C.F.R. 99.38 (2002).

Parameters of Information Exchange:

1. The School District may share any information with the Agencies contained in a student's permanent record which is directly related to the juvenile justice system's ability to effectively serve the student.
2. Prior to adjudication information contained in the permanent record may be disclosed by the school district to the Agencies without parental consent or court order.
3. Information contained in a student's permanent record may be disclosed by the School District to the Agencies after adjudication only with parental consent or a court order.
4. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.
5. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.
6. Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.
7. This agreement only governs a school district's ability to share information and the purposes for which that information can be used. Other agencies are bound by their own respective confidentiality policies.

Records' Transmission: The individual requesting the information should contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within 10 business days of the request.

Confidentiality: Confidential information shared between the Agencies and the school district will remain confidential and will not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent. Agencies or individuals violating the terms of this agreement subject their entity represented and themselves personally to legal action pursuant to federal and state law.

JUVENILE JUSTICE AGENCY INFORMATION SHARING AGREEMENT

Amendments: This agreement constitutes the entire agreement among the agencies with respect to information sharing. Agencies may be added to this agreement at the discretion of the school district.

Term: This agreement is effective from (September 1, 20 or other date) .

Termination: The School District may discontinue information sharing with an Agency if the School District determines that the Agency has violated the intent or letter of this Agreement.

APPROVED:

| | |
|------------------|------------------------|
| Signature: _____ | Address: _____ |
| Title: _____ | City: _____ |
| Agency: _____ | State: _____ ZIP _____ |
| Dated: _____ | Phone Number: _____ |

| | |
|------------------|------------------------|
| Signature: _____ | Address: _____ |
| Title: _____ | City: _____ |
| Agency: _____ | State: _____ ZIP _____ |
| Dated: _____ | Phone Number: _____ |

| | |
|------------------|------------------------|
| Signature: _____ | Address: _____ |
| Title: _____ | City: _____ |
| Agency: _____ | State: _____ ZIP _____ |
| Dated: _____ | Phone Number: _____ |

| | |
|------------------|------------------------|
| Signature: _____ | Address: _____ |
| Title: _____ | City: _____ |
| Agency: _____ | State: _____ ZIP _____ |
| Dated: _____ | Phone Number: _____ |

This agreement is optional and can only be used if the board has adopted a policy approving of its use.

ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or in violation of the student's privacy rights.

Parents or eligible students may ask the school district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the district decides not to amend the record as requested by the parent or eligible student, the district 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.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the 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 district has contracted to perform a special task (such as an attorney, auditor, AEA employees, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (*Note:* FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request.)

The right to inform the school district that the parent does not want directory information, as defined below, to be released. Directory information can be released without prior parental consent. Any student over the age of eighteen or parent not wanting this information released to the public must make object in writing to the principal. The objection needs to be renewed annually.

ANNUAL NOTICE

(The following is the suggested list in the federal law but boards can add or subtract from the list.)

NAME, GRADE LEVEL, ENROLLMENT STATUS, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, PHOTOGRAPH AND LIKENESS AND OTHER SIMILAR INFORMATION.

Even though student addresses and telephone numbers are not considered directory information, military recruiters and postsecondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters or postsecondary institutions to access the information must ask the school district to withhold the information. Also, school districts that provide postsecondary institutions and potential employer's access to students must provide the same right of access to military recruiters. Parents not wanting military recruiters to contact their children, have the right to deny permission for this activity.

- (5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education,
400 Maryland Ave., SW, Washington, DC, 20202-4605.

The school district may share any information with the Parties contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication information contained in the permanent record may be disclosed by the School District to the Parties without parental consent or court order. Information contained in a student's permanent record may be disclosed by the School District to the Parties after adjudication only with parental consent or a court order.

Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family. Information shared under the agreement is not admissible in any court proceedings, which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

Information obtained from others shall not be used for the basis of disciplinary action of the student. This agreement only governs a school district's ability to share information and the purposes for which that information can be used.

ANNUAL NOTICE

La FERPA (Family Educational Rights and Privacy Act), la ley que trata sobre el derecho a la privacidad y los derechos educativos de la familia, le depara a los padres y a los estudiantes mayores de dieciocho años (estudiantes emancipados) ciertos derechos con respecto a los expedientes académicos del estudiante. Estos derechos están a continuación:

- (1) El derecho a inspeccionar y a revisar los expedientes académicos del estudiante dentro de un plazo de 45 días a partir de la fecha en que el distrito reciba una solicitud para obtener acceso a los expedientes.

Los padres o los estudiantes emancipados deben someter una solicitud por escrito al director de la escuela (o al oficial escolar apropiado) identificando el expediente o los expedientes que ellos desean inspeccionar. El director hará arreglos para el acceso a los mismos y le notificará al padre o a la madre o al estudiante emancipado de la hora y el lugar en donde se pueden inspeccionar los expedientes.

- (2) El derecho a solicitar una enmienda de los expedientes académicos del estudiante, los cuales piensan los padres o el estudiante emancipado que están incorrectos, que son engañosos o que quebrantan los derechos del estudiante a su privacidad.

Si los padres o los estudiantes emancipados creen que un expediente está incorrecto o es engañoso, pueden pedirle al distrito escolar que enmiende el expediente. Ellos deben escribirle al director de la escuela, identificando claramente la parte del expediente que ellos desean cambiar y especificando por qué el expediente está incorrecto o es engañoso.

Si el distrito escolar decide no enmendar el expediente, según la solicitud de los padres o de los estudiantes emancipados; el distrito notificará a los padres o al estudiante emancipado de esta decisión y les informará de su derecho a tener una audiencia con relación a la solicitud de enmienda. Cuando se le notifique del derecho a tener una audiencia, el padre, la madre o el estudiante emancipado también recibirá información adicional sobre los procedimientos de la audiencia.

- (3) El derecho al consentimiento de la divulgación de información contenida en el expediente académico del estudiante y que lo identifica personalmente, a la excepción de lo que autoriza FERPA divulgar sin consentimiento.

Una excepción que permite la divulgación de información sin consentimiento es la divulgación de información a los oficiales escolares que tienen intereses educativos legítimos. Un oficial escolar es una persona que es empleado del distrito ya sea como administrador, supervisor, instructor, personal auxiliar (incluyendo el personal médico o de servicios de salud y el personal policial), una persona miembro de la junta escolar, una persona o compañía con quien el distrito ha contratado para realizar una tarea especial (tal como un abogado, interventor de cuentas, empleados del AEA (Agencias de Educación Regionales), asesor médico o terapeuta), o como un padre o estudiante que participa en un comité oficial, tal como un comité disciplinario o de quejas, o un equipo auxiliar de estudiantes, o como una persona que ayuda a otro oficial escolar a realizar sus tareas.

ANNUAL NOTICE

Un oficial escolar tiene un interés escolar legítimo si el oficial necesita revisar un expediente académico a fin de cumplir con su obligación profesional.

[Previa solicitud, el distrito divulgará sin consentimiento los expedientes académicos a los oficiales de otro distrito escolar en el cual el estudiante tiene la intención de matricularse. (Nota: A menos que en su notificación anual haya una declaración indicando que tienen la intención de enviar los expedientes al solicitante cuando éste los solicite. FERPA exige que un distrito escolar haga un intento razonable para notificar al padre o al estudiante emancipado de que han recibido una solicitud para la obtención de los expedientes académicos).

- (4) El derecho de informarle al distrito escolar de que el padre o la madre no quieren que se comunique al público la información contenida en el directorio, tal como se define abajo. Cualquier estudiante mayor de dieciocho años de edad o padre o madre que no quiera que se comunique al público esta información puede hacer una objeción de los escribiéndole al director a más tardar el (date) de (month) de (year). La objeción tiene que ser renovada anualmente.

Nombre, dirección, número de teléfono, fecha y lugar de nacimiento, materia de estudio principal, participación en deportes y en actividades reconocidas oficialmente, peso y estatura de los miembros de los equipos atléticos, fechas de asistencia a la escuela, diplomas y premios recibidos, la escuela o institución docente más reciente a la que asistió el estudiante, fotografía o imagen u otra información parecida.

- (5) El derecho a presentar una queja al U.S. Department of Education (Ministerio de Educación de los Estados Unidos) con respecto a las faltas supuestas del distrito en cumplir con los requisitos de FERPA. A continuación encontrará el nombre y la dirección de la oficina que maneja FERPA:

Family Policy Compliance Office, U.S. Department of Education,

400 Maryland Ave., S.W., Washington, D.C., 20202-4605.

[El Distrito Escolar puede intercambiar con cualquiera de las Partes cualquier información contenida en el expediente académico permanente del estudiante. Esta información debe estar relacionada directamente con la capacidad del sistema de justicia de menores para servir efectivamente al estudiante. Antes de la adjudicación, la información contenida en el expediente permanente puede ser divulgada por parte del Distrito Escolar a las Partes sin consentimiento de los padres y sin una orden judicial. Después de la adjudicación, la información contenida en el expediente permanente del estudiante solamente podrá ser divulgada con consentimiento de los padres o por medio de una orden judicial. La información que se intercambie conforme con un acuerdo, será utilizado únicamente para determinar los programas y los servicios apropiados para las necesidades del estudiante o de la familia del estudiante. También se podrá utilizar para coordinar la entrega de los programas y los servicios al estudiante o a la familia del estudiante. A menos que se obtenga un consentimiento por escrito de parte de los padres de un estudiante, del guardián o del custodio legal o real del estudiante, la información que se intercambie en virtud de un acuerdo, no será admisible en ningún procedimiento judicial que tenga lugar antes de una audiencia de disposición. Este acuerdo solamente rige la capacidad de un distrito escolar para intercambiar información y rige los propósitos para los cuales se puede utilizar esa información.

ANNUAL NOTICE

El propósito para el cual se intercambia la información antes de la adjudicación del estudiante es para mejorar la seguridad del colegio, reducir el uso ilícito de drogas y de alcohol, reducir las inasistencias a clase, reducir las suspensiones en el colegio y fuera del colegio, y para apoyar las alternativas a las suspensiones y expulsiones en el colegio y fuera del colegio. Estas alternativas proporcionan programas educativos estructurados y bien supervisados, suplidos por servicios adecuados y coordinados que están diseñados para corregir comportamientos que causan inasistencias a clase, suspensiones y expulsiones. Estos programas apoyan a los estudiantes en completar exitosamente su educación.

El individuo que solicite la información debe ponerse en contacto con el director del edificio en el cual el estudiante está actualmente matriculado o en el que estuvo matriculado. El director entonces enviará los expedientes dentro de los diez días laborables que le siguen a la fecha en que se recibió la solicitud.

La información confidencial que se intercambie entre las Partes y el distrito escolar permanecerá en confianza y no se intercambiará con ninguna otra persona salvo que esté dispuesto por ley. A menos que se obtenga el consentimiento por escrito de parte del padre o la madre del estudiante del guardián o del custodio real o legal del estudiante, ninguna información intercambiada según el acuerdo será admisible en ningún procedimiento judicial que tenga lugar antes de la audiencia.]

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: 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.

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, is 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.

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 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.
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 is given by the parent, legal guardian, or a student of majority age. This consent form will state which records are released, to whom they are 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.

USE OF STUDENT RECORDS REGULATION

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 are notified in advance.
5. 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 at 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 ____ 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 ____ days. It is within the discretion of the board to hear the appeal.

STUDENT DIRECTORY INFORMATION

Student directory information is designed to be used internally within the school district. Directory information is defined in the annual notice. It may include the student's name, grade level, enrollment status, 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, photograph and other likeness, and other similar information.

Prior to developing a student directory or to giving general information to the public, parents will be given notice annually of the intent to develop a directory or to give out general information and have the opportunity to deny the inclusion of their child's information in the directory or in the general information about the students.

It is the responsibility of the superintendent to provide notice and to determine the method of notice that will inform parents.

Legal Reference: 20 U.S.C. § 1232g (1994).
34 C.F.R. Pt. 99, 300.560 - .574 (2002).
Iowa Code § 22; 622.10 (2005).
281 I.A.C. 12.3(6); 41.20.
1980 Op. Att'y Gen. 720.

Cross Reference: 504 Student Activities
506 Student Records
901.1 Public Examination of School District Records
902.4 Live Broadcast or Videotaping

Approved May 2013

Reviewed April 2013

Revised June 2008

AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The New Hampton Community School District has adopted a policy designed to assure parents and students the full implementation, protection and enjoyment of their rights under the Family Educational Rights and Privacy Act of 1974. A copy of the school district's policy is available for review in the office of the principal of all of our schools.

This law requires the school district to designate as "directory information" any personally identifiable information taken from a student's educational records prior to making such information available to the public.

Even though student addresses and telephone numbers are not considered directory information, military recruiters and post-secondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters and post-secondary institutions to access the information must ask the school district to withhold the information.

The school district has designated the following information as directory information: (The only items left out of this list are address and telephone numbers. Boards need to amend the form to reflect their practice.) student's name; grade level, enrollment status, participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; photograph and other likeness and other similar information. You have the right to refuse the designation of any or all of the categories of personally identifiable information as directory information with respect to your student provided that you notify the school district in writing not later than _____, 20__ of this school year. If you desire to make such a refusal, please complete and return the slip attached to this notice.

If you have no objection to the use of student information, you do not need to take any action.

RETURN THIS FORM

New Hampton Community School District's Parental Directions to Withhold Student/Directory Information, for 20__ - 20__ school year.

Student Name: _____ Date of Birth _____

School: _____ Grade: _____

(Signature of Parent/Legal Guardian/Custodian of Child) (Date)

This form must be returned to your child's school no later than _____, 20__.
Additional forms are available at your child's school.

Parental Directions to Withhold Student Names, Addresses and Phone Numbers from Military Recruiters and Post-Secondary Educational Institutions, for 20__ - 20__ school year.

Student Name: _____ Date of Birth _____

School: _____ Grade: _____

(Signature of Parent/Legal Guardian/Custodian of Child) (Date)

This form must be returned to your child's school no later than _____, 20__.
Additional forms are available at your child's school.

USE OF DIRECTORY INFORMATION

The student handbook or similar publication given to each student which contains general information about the school will contain the following statement which is published at least annually in a prominent place or in a newspaper of general circulation in the school district:

The following information may be released to the public in regard to any individual student of the school district as needed. Any student over the age of eighteen or parent not wanting this information released to the public must make objection in writing to the principal. The objection needs to be renewed annually.

NAME, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, PHOTOGRAPH AND LIKENESS AND OTHER SIMILAR INFORMATION.

DATED _____, 20 ____.

