

STUDENT RECORDS

It is the policy of the Faith School District that the principal of each school will be the legal custodian of all student records for that school.

Eligible students and parents/guardians will have access to their school records. The school will notify parents/guardians and adult students annually of the following specific rights related to educational records under the Family Educational Rights and Privacy Act (FERPA):

1. The type of records kept;
2. The procedure for inspecting and copying these records;
3. The right for interpretation;
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

Additionally, the district will notify parents/guardians annually of the district's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician or school psychologist for his or her own use, and which are not available to others, are exempted from this definition, as are records maintained by a law enforcement officer assigned to the school and maintained by the officer solely for law enforcement purposes.

The school will require prior written consent before information other than directory information may be divulged to third parties. (Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. See Policy JO-N for a list of directory information.) An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll. A school district in which a student is enrolled, or is in the process-of enrolling in, may request the student's education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include, but are not limited to,

all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When schools transfer records to new educational institutions, the schools must notify parents/guardians of the transfer and of their right to review and contest the material. An exemption exists for material under court order. Parents/guardians must be notified of such order prior to release.

The district may disclose, without the consent or knowledge of the eligible student or parent/guardian, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

The superintendent is directed to establish procedures to ensure compliance with the Family Educational and Privacy Act and other applicable acts and regulations.

Adopted: February 19, 2007

REFERENCE: Family Educational Rights and Privacy Act
18 USC §§2331 and 2332(g)(5)(B)
20 USC 1232
P. L. 107-110, No Child Left Behind Act of 2001
ARSD 24:03:04:10

CROSS-REFERENCE: