

## STUDENT RECORDS ACCESS

The board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information shall be kept confidential at collection, storage, disclosure and destruction stages. Student records shall be maintained by the building secretary and housed in the office of the child's attendance center. Records of students who have graduated are generally maintained in the office of the high school.

Parents and eligible students shall 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 post secondary education at the post high school level. Parents of an eligible student shall be provided access to the student records only with the written permission of the eligible student. Parents of an eligible student, who is defined by the Internal Revenue Code as a dependent student, may be provided access without the written permission of the student. Only those with the written permission of the parents or eligible student shall have access to the student records. 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 student records. Parents, other than parents of an eligible student, may only be denied access to a student's records with a court order or when the district has been advised under the appropriate laws that the parents may not access the student records.

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

Parents and eligible students shall have a right to access the student's records upon request without unnecessary delay and in no instance more than forty-five (45) days after the request is made. Parents, and eligible students, or an authorized representative shall have the right to access the student's records prior to an Individual Education Program (IEP) meeting or hearing.

Copies of student records will only 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 shall be 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 shall provide an explanation and interpretation of the student record and a list of the types and locations of student records collected, maintained or used.

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. If the school district determines an amendment shall be made to the student record, the school district shall make the amendment and inform the parents or the eligible student of the decision in writing.

If the school district refuses to amend the student record, it shall inform the parents or the eligible student of their right to a hearing before the school district. If the parents' and the eligible student's request to amend the student record is further denied, the parents or the eligible student shall have the opportunity to place an explanatory letter in the student record commenting on the school district's decision and setting forth the reasoning for disagreeing with the school district. Additions to the student's records shall 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 shall also be disclosed.

Student records may be disclosed in limited circumstances without parental or eligible student 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 have a legitimate educational interest, including, but not limited to, board members, employees, school attorney, auditor, health professionals, juvenile court liaison officials, 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 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 principal of each building shall 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. This list must be available for public inspection and updated annually.

The principal of each building shall 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. 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 shall be maintained without time limitation.

When personally identifiable information, other than permanent student records, no longer needs to be maintained by the school district to provide educational services to the special education student, the records shall be destroyed.

It shall be the responsibility of the superintendent to annually notify district patrons, students and employees regarding the district's student records access policy.

LEGAL REFERENCE: 20 U.S.C. § 1232 g, 1415 (1988). 34 C.F.R. Pt. 99, 300.560  
- .574 (1990)  
Iowa Code §§ 22; 622.10 (1991). 281 I.A.C. 12.3(6), 41.20  
1980 Op. Att'y. Gen. 720, 825

CROSS REFERENCE: Board Policy 505.011

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MAQUOKETA VALLEY COMMUNITY SCHOOL DISTRICT