

1 **Potomac Elementary**

2
3 **STUDENTS**

3600P
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4
5 Student Records

6
7 Maintenance of School Student Records

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9 The District maintains two (2) sets of school records for each student – a permanent record and a
10 cumulative record.

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12 The permanent record will include:

- 13
- 14 Basic identifying information
- 15 Academic work completed (transcripts)
- 16 Level of achievement (grades, standardized achievement tests)
- 17 Immunization records (per § 20-5-506, MCA)
- 18 Attendance record
- 19 Record of any disciplinary action taken against the student, which is educationally related
- 20

21 The cumulative record may include:

- 22
- 23 Intelligence and aptitude scores
- 24 Psychological reports
- 25 Participation in extracurricular activities
- 26 Honors and awards
- 27 Teacher anecdotal records
- 28 Verified reports or information from non-educational persons
- 29 Verified information of clear relevance to the student's education
- 30 Information pertaining to release of this record
- 31 Disciplinary information
- 32

33 Information in the permanent record will indicate authorship and date and will be maintained in
34 perpetuity for every student who has been enrolled in the District. Cumulative records will be
35 maintained for eight (8) years after the student graduates or permanently leaves the District.
36 Cumulative records which may be of continued assistance to a student with disabilities, who
37 graduates or permanently withdraws from the District, may, after five (5) years, be transferred to
38 the parents or to the student if the student has succeeded to the rights of the parents.

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40 The Principal will be responsible for maintenance, retention, or destruction of a student's
41 permanent or cumulative records, in accordance with District procedure established by the
42 Principal.

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44 Access to Student Records

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46 The District will grant access to student records as follows:

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- 4 1. The District or any District employee will not release, disclose, or grant access to
- 5 information found in any student record except under the conditions set forth in this
- 6 document.
- 7
- 8 2. The parents of a student under eighteen (18) years of age will be entitled to inspect and
- 9 copy information in the child's school records. Such requests will be made in writing and
- 10 directed to the records custodian. Access to the records will be granted within fifteen
- 11 (15) days of the District's receipt of such request.
- 12

13 Where the parents are divorced or separated, both will be permitted to inspect and copy

14 the student's school records, unless a court order indicates otherwise. The District will

15 send copies of the following to both parents at either one's request, unless a court order

16 indicates otherwise:

- 17
- 18 a. Academic progress reports or records;
- 19 b. Health reports;
- 20 c. Notices of parent-teacher conferences;
- 21 d. School calendars distributed to parents/guardians; and
- 22 e. Notices about open houses and other major school events, including student-
- 23 parent interaction.
- 24

25 When the student reaches eighteen (18) years of age, graduates from high school,

26 marries, or enters military service, all rights and privileges accorded to the parent become

27 exclusively those of the student.

28

29 Access will not be granted to the parent or the student to confidential letters and

30 recommendations concerning admission to a post-secondary educational institution,

31 applications for employment, or receipt of an honor or award, if the student has waived

32 his or her right of access after being advised of his or her right to obtain the names of all

33 persons making such confidential letters or statements.

34

- 35 3. The District may grant access to or release information from student records to
- 36 employees or officials of the District or the Montana State Board of Education, provided
- 37 a current, demonstrable educational or administrative need is shown, without parental
- 38 consent or notification. Access in such cases will be limited to the satisfaction of that
- 39 need.
- 40
- 41 4. The District may grant access to or release information from student records without
- 42 parental consent or notification to any person, for the purpose of research, statistical
- 43 reporting, or planning, provided that no student or parent can be identified from the
- 44 information released, and the person to whom the information is released signs an
- 45 affidavit agreeing to comply with all applicable statutes and rules pertaining to school
- 46 student records.

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4 5. The District will grant access to or release information from a student's records pursuant
5 to a court order, provided that the parent will be given prompt written notice, upon
6 receipt of such order, of its terms, the nature and substance of the information proposed
7 to be released, and an opportunity to inspect and copy such records and to challenge their
8 contents.
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- 10 6. The District will grant access to or release information from any student record, as
11 specifically required by federal or state statute.
12
- 13 7. The District will grant access to or release information from student records to any person
14 possessing a written, dated consent, signed by the parent or eligible student, with
15 particularity as to whom the records may be released, the information or record to be
16 released, and reason for the release. One (1) copy of the consent form will be kept in the
17 records, and one (1) copy will be mailed to the parent or eligible student by the
18 Superintendent. Whenever the District requests consent to release certain records, the
19 records custodian will inform the parent or eligible student of the right to limit such
20 consent to specific portions of information in the records.
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- 22 8. The District may release student records to the superintendent or an official with similar
23 responsibilities in a school in which the student has enrolled or intends to enroll, upon
24 written request from such official.
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- 26 9. Prior to release of any records or information under items 5, 6, 7, and 8, above, the
27 District will provide prompt written notice to the parents or eligible student of this
28 intended action. This notification will include a statement concerning the nature and
29 substance of the records to be released and the right to inspect, copy, and challenge the
30 contents.
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- 32 10. The District may release student records or information in connection with an emergency,
33 without parental consent, if the knowledge of such information is necessary to protect the
34 health or safety of the student or other persons. The records custodian will make this
35 decision, taking into consideration the nature of the emergency, the seriousness of the
36 threat to the health and safety of the student or other persons, the need for such records to
37 meet the emergency, and whether the persons to whom such records are released are in a
38 position to deal with the emergency. The District will notify the parents or eligible
39 student, as soon as possible, of the information released, date of the release, the person,
40 agency, or organization to whom the release was made, and the purpose of the release.
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- 42 11. The District may disclose, without parental consent, student records or information to the
43 youth court and law enforcement authorities, pertaining to violations of the Montana
44 Youth Court Act or criminal laws by the student.
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- 46 12. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney

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4 General or designee to have access to a student's school records without notice to or
5 consent of the student's parent(s)/guardian(s).
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7 13. The District charges a nominal fee for copying information in the student's records. No
8 parent or student will be precluded from copying information because of financial
9 hardship.
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11 14. A record of all releases of information from student records (including all instances of
12 access granted, whether or not records were copied) will be kept and maintained as part
13 of such records. This record will be maintained for the life of the student record and will
14 be accessible only to the parent or eligible student, records custodian, or other person.
15 The record of release will include:
16

- 17 a. Information released or made accessible.
- 18 b. Name and signature of the records custodian.
- 19 c. Name and position of the person obtaining the release or access.
- 20 d. Date of release or grant of access.
- 21 e. Copy of any consent to such release.
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23 Directory Information

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25 The District may release certain directory information regarding students, except that parents
26 may prohibit such a release. Directory information will be limited to:
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- 28 Student's name
- 29 Address
- 30 Gender
- 31 Grade level
- 32 Date and place of birth
- 33 Parents'/guardians' names and addresses
- 34 Photograph (including electronic version)
- 35 Dates of attendance
- 36 Participation in officially recognized activities and sports
- 37 Degrees, honors and awards received
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39 The notification to parents and students concerning school records will inform them of their right
40 to object to the release of directory information.
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4 Student Record Challenges
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6 The parents may challenge the accuracy, relevancy, or propriety of the records, except: (1)
7 grades, and (2) references to expulsions or out-of-school suspensions, if the challenge is made
8 when the student's school records are being forwarded to another school. They have the right to
9 request a hearing at which each party has:

- 10
11 • The right to present evidence and to call witnesses;
12 • The right to cross-examine witnesses;
13 • The right to counsel;
14 • The right to a written statement of any decision and the reasons therefor;
15 • The right to appeal an adverse decision to an administrative tribunal or official, to be
16 established or designated by the State Board.
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18 The parents may insert a written statement of reasonable length describing their position on
19 disputed information. The school will include the statement in any release of the information in
20 dispute.
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24 Legal Reference: Family Education Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R.
25 99
26 § 20-5-201, MCA Duties and sanctions
27 § 40-4-225, MCA Access to records by parent
28 § 41-5-215, MCA Youth court and department records – notification
29 of school
30 10.55.909, ARM Student records
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32 Policy History:

33 Adopted on: December 13, 2010

34 Reviewed on:

35 Revised on: