

FAMILY EDUCATIONAL RIGHTS
AND PRIVACY ACT

The Family Educational Rights and Privacy Act provides that parents or students if they are over 18 years of age, must be allowed to inspect and review all material that is included in each of their students' cumulative record folders.

Shelley Joint School District #60 maintains a cumulative record folder for each student at the school he/she attends. The contents of this folder includes: attendance, grades, health records, standardized test scores, and directory information. The cumulative record folders for those students who have graduated are kept at the Shelley High School.

Parents, or an eligible student, may request to amend the educational records included in the cumulative folder. A hearing may be held, if necessary, to consider action on the request. Parents, or an eligible student, and educational officials involved would attend the hearing. Parents, or an eligible student, will be permitted to place a statement in the cumulative record folder concerning the records included therein.

The following procedures will be followed for parents or eligible students to inspect cumulative records:

1. Contact the principal of the school.
2. Complete and sign the forms provided.
3. Principal or counselor will provide the parent, or eligible student, with the record.
4. The records will be reviewed in the presence of the principal or counselor.
5. Request for inspection will be filed in the student's folder.

The student's cumulative record folder is available to the principal, counselor, and teachers for educational use. The first copy of the student's record is transferred without cost, and for each additional copy the fee is \$1.00.

Annual notice of this policy will be made to the parents of the school district.

Release of Information to Persons Other Than Parents:

The release of personally identifiable records or files (or personal information contained therein) of students under age 18 without the written consent of their parents to any military recruiting agency, an institute of higher education, other agency, any organization, or individual shall not be

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permitted, other than to the following:

- Other school officials, including teachers within the District, who have a legitimate education need.
- Officials of other districts or school systems in which the student intends to enroll.
- Emergency disclosures: An educational institution may disclose personal information about students without prior written consent to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health and/or safety of students or other individuals.

Revised: August 18, 2011

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99.5 Formulation of Institutional policy and procedures.

(a) Each educational agency or institution shall, consistent with the minimum requirements of section 438 of the Act and this part, formulate and adopt a policy of--

(1) Informing parents of students or eligible students of their rights under 99.6;

(2) Permitting parents of students or eligible students to inspect and review the education records of the student in accordance with 99.11, including at least:

(i) A statement of the procedure to be followed by a parent or an eligible student who requests to inspect and review the education records of the student;

(ii) With an understanding that it may not deny access to an education records, a description of the circumstances in which the agency or institution feels it has legitimate cause to deny a request for a copy of such records;

(iii) A schedule of fees for copies, and

(iv) A listing of the types and locations of education records maintained by the educational agency or institution and the titles and addresses of the officials responsible for those records;

(3) No disclosing personally identifiable information from the education records of a student without the prior written consent of the parent of the student or the eligible student, except as otherwise permitted by 99.31 and 99.37; the policy shall include, least (i) A statement of whether the educational agency or institution will disclose personally identifiable information from the education records of a student under 99.31 (a)(1) and, if so, a specification of the criteria for determining which parties are "school officials" and what the educational agency or institution considers to be a "legitimate educational interest", and (ii) a specification of the personally identifiable information to be designated as directory information under 99.37;

(4) Maintaining the record of disclosures of personally identifiable information from the education records of a student required to be maintained by 99.32, and permitting a parent or an eligible student to inspect that records;

(5) Providing a parent of the student or an eligible student with an opportunity to seek the correction of

education records of the student through a request to amend the records or a hearing under Subpart C, and permitting the parent of a student or an eligible student to place a statement in the education records of the student as provided in 99.21 (c);

(b) The policy required to be adopted by paragraph (a) of this section shall be in writing and copies shall be made available upon request to parents of students and to eligible students.

(20 U.S.C. 1232g(e) and (f))

99.6 Annual notification of rights.

(a) Each educational agency or institution shall give parents of students in attendance or eligible students in attendance at the agency or institution annual notice by such means as are reasonable likely to inform them of the following:

(1) Their rights under section 438 of the Act, the regulations in this part, and the policy adopted under 99.5; the notice shall also inform parents of students or eligible students of the locations where copies of the policy may be obtained; and

(2) The right to file complaints under 99.63 concerning alleged failures by the educational agency or institution to comply with the requirements of section 438 of the Act and this part.

(b) Agencies and institutions of elementary and secondary education shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

(20 U.S.C. 1232g(e))