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5 Student Records

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7 Notification to Parents and Students of Rights Concerning a Student’s School Records

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9 *This notification may be distributed by any means likely to reach the parent(s)/guardian(s).*

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11 The District will maintain two (2) sets of school records for each student: a permanent record
12 and a cumulative record. 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
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21 The cumulative record may include:

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- 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 The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students
34 over eighteen (18) years of age (“eligible students”) certain rights with respect to the student’s
35 education records. They are:

- 36
- 37 1. **The right to inspect and copy the student’s education records, within a reasonable**
- 38 **time from the day the District receives a request for access.**
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40 “Eligible” students, who are eighteen (18) years of age or older, have the right to inspect
41 and copy their permanent record. Parents/guardians or “eligible” students should submit
42 to the school principal (or appropriate school official) a written request identifying the
43 record(s) they wish to inspect. The principal will make, within forty-five (45) days,
44 arrangements for access and notify the parent(s)/ guardian(s) or eligible student of the
45 time and place the records may be inspected. The District charges a nominal fee for
46 copying, but no one will be denied their right to copies of their records for inability to pay

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4 this cost.

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6 The rights contained in this section are denied to any person against whom an order of
7 protection has been entered concerning a student.
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9 **2. The right to request amendment of the student's education records which the**
10 **parent(s)/guardian(s) or eligible student believes are inaccurate, misleading,**
11 **irrelevant, or improper.**
12

13 Parents/guardians or eligible students may ask the District to amend a record they believe
14 is inaccurate, misleading, irrelevant, or improper. They should write the school principal
15 or records custodian, clearly identifying the part of the record they want changed, and
16 specify the reason.
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18 If the District decides not to amend the record as requested by the parent(s)/guardian(s) or
19 eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the
20 decision and advise him or her of their right to a hearing regarding the request for
21 amendment. Additional information regarding the hearing procedures will be provided to
22 the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.
23

24 **3. The right to permit disclosure of personally identifiable information contained in**
25 **the student's education records, except to the extent that FERPA or state law**
26 **authorizes disclosure without consent.**
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28 Disclosure is permitted without consent to school officials with legitimate educational or
29 administrative interests. A school official is a person employed by the District as an
30 administrator, supervisor, instructor, or support staff member (including health or
31 medical staff and law enforcement unit personnel); a person serving on the Board; a
32 person or company with whom the District has contracted to perform a special task (such
33 as contractors, attorneys, auditors, consultants, or therapists); volunteers; other outside
34 parties to whom an educational agency or institution has outsourced institutional services
35 or functions that it would otherwise use employees to perform; or a parent(s)/guardian(s)
36 or student serving on an official committee, such as a disciplinary or grievance
37 committee, or assisting another school official in performing his or her tasks.
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39 A school official has a legitimate educational interest, if the official needs to review an
40 education record in order to fulfill his or her professional responsibility.
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42 Upon request, the District discloses education records, without consent, to officials of
43 another school district in which a student has enrolled or intends to enroll, as well as to
44 any person as specifically required by state or federal law. Before information is
45 released to individuals described in this paragraph, the parent(s)/guardian(s) will receive
46 written notice of the nature and substance of the information and an opportunity to

inspect, copy, and challenge such records. The right to challenge school student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring.

Disclosure is also permitted without consent to: any person for research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

4. **The right to a copy of any school student record proposed to be destroyed or deleted.**

5. **The right to prohibit the release of directory information concerning the parent's/guardian's child.**

Throughout the school year, the District may release directory information regarding students, limited to:

- Student's name
- Photograph (including electronic version)
- Date and place of birth
- Dates of attendance
- Grade level
- Participation in officially recognized activities
- Honors and awards received

Any parent(s)/guardian(s) or eligible student may prohibit the release of all of the above information by delivering written objection to the building principal within ten (10) days of the date of this notice. No directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student are specifically informed otherwise. When a student transfers, leaves the District, or graduates, the school must continue to honor a decision to opt-out, unless the parent or student rescinds the decision.

A parent or student 18 years of age or an emancipated student, may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their name [identifier, institutional email address in a class in which the student is enrolled] or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

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3 **6. The right to request that information not be released to military recruiters and/or**
4 **institutions of higher education.**

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6 Pursuant to federal law, the District is required to release the names, addresses, and
7 telephone numbers of all high school students to military recruiters and institutions of
8 higher education upon request.

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10 Parent(s)/guardian(s) or eligible students may request that the District not release this
11 information, and the District will comply with the request.

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13 **7. The right to file a complaint with the U.S. Department of Education, concerning**
14 **alleged failures by the District to comply with the requirements of FERPA.**

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16 The name and address of the office that administers FERPA is:

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18 Family Policy Compliance Office
19 U.S. Department of Education
20 400 Maryland Avenue, SW
21 Washington, DC 20202-4605