

Student Records/Release of Information on Students

(Notification to Parents/Guardians and Students of Rights
Concerning Student Education Records)

The Family Educational Rights and Privacy Act ("FERPA"), the Individuals with Disabilities Education Act ("IDEA"), and Colorado law afford parents/guardians and students over 18 years of age (eligible students) certain rights with respect to the student's education records, as follows:

1. The right to inspect and review the student's education records within a reasonable time period after the request is made (not to exceed 45 days).

A parent/guardian or eligible student making such a request must submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal, upon receipt of the written request, will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected. The student's records shall be examined in the presence of the principal or designee.

During inspection and review of student education records by a parent/guardian or eligible student and when requested by them, the principal shall provide personnel necessary to give explanations and interpretations of the records.

In the case of a request for a student's educational records that precedes an IEP meeting, manifestation determination review, IDEA due process hearing, or IDEA resolution meeting, the principal (or appropriate school official) shall ensure that the parent or eligible student has an opportunity to inspect and review relevant records without unnecessary delay in accordance with 34 C.F.R. § 300.613(a). All other records will be provided within 45-days of the initial request.

The original record itself shall not be taken from the school building. However, upon request, one copy of the record shall be provided within a reasonable time to the parent/guardian or eligible student at a reasonable cost of \$.25 a page and/or \$2.00 per document for immunization records, transcripts, birth certificates, report cards or health records, or no more than \$10.00 per request for complete cumulative folders or IEPs. There will be a \$6.00 charge for education/graduation verifications. There will be a transaction fee of \$4.00 associated with each request when paying with credit card.

2. The right to request the amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights.

A parent/guardian or eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student by writing to the school principal (or appropriate school official) clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student. The request to amend a student's education record must be made in writing within ten (10) school days of the date the records were first examined.

If the principal or higher administrative official, after consulting with any other person(s) having relevant information, decides not to amend the record as requested, the principal will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. A request for a hearing must be made in writing to the superintendent or designee and requested within 10 school days of the parent/guardian's or eligible student's receipt of the decision denying the request to amend the student's education record.

If the parent/guardian or eligible student requests a formal hearing, the hearing shall be held in accordance with the following:

- a. The hearing will be held within 15 school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent/guardian or eligible student by certified mail.
 - b. The hearing will be conducted by a principal or higher administrative official as designated in writing by the superintendent or designee. The official conducting the hearing shall not be the principal who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
 - c. Parents/guardians or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
 - d. The official designated above shall make a decision in writing within 10 school days following the conclusion of the hearing and shall notify the parent/guardian or eligible student of that decision by certified mail.
 - e. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
 - f. The decision shall include a statement informing the parents/guardians or eligible student of their right to place in the student records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the district. If the student record is disclosed by the school to any other party, the explanation also shall be disclosed to that party.
- 3. The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent.**

Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information regarding a student, the notice provided to the parent/guardian or eligible student shall contain the following:

- a. the specific records to be disclosed;
- b. the specific reasons for such disclosure;
- c. the specific identity of any person, agency or organization requesting such

information and the intended uses of the information;

d. the method or manner by which the records will be disclosed; and

e. the right to review or receive a copy of the records to be disclosed.

The parent/guardian's or eligible student's consent shall only be valid for the specific instance for which it was given. Consent for a student to participate in any course, school activity, special education program or in any other school program shall not constitute the specific written consent required by this regulation.

All signed consent forms shall be retained by the school district.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA.

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

Family Policy Compliance Office, U.S. Department of Education
400 Maryland Avenue, SW, Washington, DC 20202-5920

5. The right to refuse to permit the designation of any or all of the categories of directory information.

The district is permitted by law to disclose directory information as defined in policy JRA/JRC without written consent of the parent/guardian or eligible student. Directory information means information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The parent/guardian or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if such refusal is received in writing in the office of the principal of the school where the student is in attendance.

6. The right to request that information not be provided to military recruiting officers.

Names, addresses and home telephone numbers as well as directory information of secondary school students will be released to military recruiting officers within 90 days of the request unless a student submits a written request that such information not be released.

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