

Dell Rapids School District #49-3



Policies and Regulations Code: JO – Students

JO STUDENT RECORDS

Privacy of school records, as protected under law, continues to be an important issue facing education. Public law 93-380, to extend and amend the Elementary and Secondary Education Act of 1965, containing Section 513(a) known as the "Family Educational Rights and Privacy Act of 1974," was signed into law by President Ford on August 21, 1974, and became effective November 20, 1974. Full regulations were published in the Federal Register on June 17, 1976, effective immediately.

This law makes it necessary for schools to develop policies and procedures that insure parents and students the right to inspect and review any and all official records, files and data directly related to their children.

Student records are an essential part of the educational process. To serve this end, information about students as may be required by law, and considered necessary to achieve the educational goals and objectives as stated in the philosophy of the Dell Rapids School District, will be collected and maintained under the supervision of the certified staff. This collection, maintenance, accessibility, dissemination, retention, and confidentiality of such information will be controlled by procedures designed to enhance the primary task of the school while protecting individual student rights and preserving the confidential nature of the various types of records.

A parent of a student or a student may waive any of his/her rights by a written waiver signed by the parent or student, as appropriate. The school may request, but not require, such a waiver and it may be revoked by the student or parent at any time after he/she becomes an eligible student. Any revocation must be in writing.

It is the responsibility of the School Board to annually, through public notice, inform parents of students and eligible student of their right to inspect and review educational records. Requests for review must be directed to the student's building principal.

Parents and students over 18 years of age are entitled:

1. To know the records that are kept;
2. To inspect and review the records or material that pertains to them or their offspring;
3. To receive a copy of the record;
4. To receive a response to a reasonable request for explanation and interpretation;
5. To challenge a record claimed to be inaccurate, false or misleading or otherwise in violation of the privacy or other rights of students, and to a hearing if, after review, no change is made;
6. To place a statement of rebuttal in the challenged record if not change is made;
7. To file a written complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920, if they believe any of these rights are violated.

Students under 18 years of age are entitled to the same privileges as parents and students over 18 years of age.

Public notice must also be made by the School Board of intent to disclose to the news media personally identifiable data designed as directory information.

The parent of a student or an eligible student may refuse to be personally identified in any or all of the information categories. Such refusal must be made in writing to the student's building principal within fifteen (15) days after the notice is given.

The following information will be classified as "directory" information:

1. The student's name.
2. The student's address.
3. The student's phone number.
4. The student's date and place of birth.
5. The student's grade level.
6. The student's electronic mail address.
7. Dates of attendance.
8. Participation in officially recognized activities and sports.
9. Weight & height of members of athletic teams.
10. Degrees, honors, and awards received.
11. The most recent educational agency or institution attended.
12. The student's photograph.

LEGAL REFS.: Public Law 93-380
 August 21, 1974; "Family Educational Rights and Privacy Act of 1974
 Regulations: Federal Register June 17, 1976

ADOPTED: 11-1985
AMENDED: 11-2007
REVIEWED: 06-2012