

JRA/JRC - STUDENT RECORDS / RELEASE OF INFORMATION ON STUDENTS

1. GENERAL PROVISIONS

Student education records may contain, but will not necessarily be limited to, the following information: identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data and medical information; family background information; teacher or counselor ratings and observations; and reports of serious or recurrent behavior patterns.

Education records do not include records maintained by a law enforcement unit of the school or District (should one exist) that are created by that unit for the purpose of law enforcement.

Nothing in this policy shall prevent administrators, teachers or other staff from disclosing information derived from personal knowledge or observation.

A record of requests to inspect, review and/or copy a student's education records or personally identifiable information, and a record of the disclosure of such records and information including the legitimate interests permitting such disclosure, shall be maintained as a part of each student's record. Notwithstanding the foregoing, request/disclosure records are not required with respect to requests from or disclosures to: (a) the parent or eligible student; (b) District officials in accordance with this policy; (c) a party with written consent from the parent or eligible student; (d) a party seeking directory information; or (e) a party seeking or receiving education records or personally identifiable information pursuant to a judicial order or lawfully issued subpoena legally mandated to be kept confidential.

2. ACCESS TO RECORDS

A parent or guardian has the right to inspect and review the student's education records. If a student is 18 years of age or older the student may inspect his/her own records, and the student's written permission shall be required in order for the parent or guardian to inspect the records. (Such student 18 years of age or older shall be known as an "eligible student.") However, if an eligible student is a dependent for federal income tax purposes, parents/guardians are entitled, along with the student, to have access to student education records.

The building principal shall provide such personnel as necessary to give explanations and interpretations of the education records when requested by parents/guardians or eligible students.

6.

- e. The decision of the hearing 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 parent/guardian or eligible student of their right to place in the student's challenged education 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 education record is disclosed by school officials to any other party, the explanation also shall be disclosed to that party.

7. DISCLOSURE WITH WRITTEN CONSENT

Except as specified in Section 8 of this policy or as otherwise provided by law, written consent shall be required before student education records and/or personally identifiable information contained therein is disclosed to parties other than the parent/guardian or eligible student. Such written consent shall be given by the parent/guardian or eligible student and shall contain the following:

- a. the date of the consent;
- b. specification of the records or information to be disclosed;
- c. the purpose of the disclosure; and
- d. the identity of the party or class of parties to whom the disclosure may be made.

If the parent/guardian or eligible student so requests, the District shall provide them with a copy of the records disclosed. Parent/guardian or eligible student consent shall only be valid for the specific disclosure for which the written consent 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 written consent for disclosure of education records or personally identifiable information contained therein.

All signed consent forms shall be retained by the District.

8. DISCLOSURE WITHOUT WRITTEN CONSENT

The District may disclose student education records or personally identifiable information contained therein without written consent of the parent/guardian or eligible student under any of the following circumstances:

- a. The disclosure is to a District official having a legitimate educational interest in the education record or the personally identifiable information

contained therein. A "District official" for purposes of this policy is a

- h. The disclosure is to comply with a judicial order or lawfully issued subpoena. Unless otherwise specified in the order or subpoena, the District shall inform the parent/guardian or eligible student prior to complying with the subpoena or court order.
- i. The disclosure is in connection with an emergency, if knowledge of the information disclosed is necessary to protect the health or safety of the student or other persons.
- j. The disclosure is of "directory information" under the conditions specified in this policy.

9. DIRECTORY INFORMATION

For purposes of this policy, "directory information" is information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. "Directory information" includes, but is not limited to, the student's name, photograph, audio and/or video recordings, major field of study, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, honors and awards received, and the most recent educational agency or institution attended. The District may disclose directory information without written consent of the parent/guardian or eligible student; however, student telephone numbers and addresses will not be disclosed without the express written permission of the parent/guardian. The parent or eligible student has the right to

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LEGAL REFS:

20 U.S.C. 1232g

34 C.F.R. 99.1, et seq.

20 U.S.C. 7908

C.R.S. 19-1-303 and 304

C.R.S. 22-32-109.1(6)

C.R.S. 22-32-109.3

C.R.S. 24-72-204(3)(d) & (e)

CROSS REFS:

CL, Research Involving District Students, Employees or Resources

KDB, Public Inspection and Copying of District Records

JLDAC, Screening/Testing of Students