

CODE F6

STUDENT RECORDS; FAMILY PRIVACY

Policy

It is the policy of the Chittenden South Supervisory Union and its member school districts (Charlotte, Hinesburg, Shelburne, Williston and Champlain Valley Union) to comply with the provisions of the Federal Pupil Privacy Rights Amendment (PPRA) governing the administration of certain student surveys, analyses, or evaluations funded in whole or in part by the U.S. Department of Education.

The principle of confidentiality underlies all policies and procedures for the collection, maintenance, disclosure, and destruction of educational records. The building principal will be the legal custodian of all student records throughout the district and for assuring that adequate systems are in place to maintain such records.

Definitions

1. ***Other school official determined to have legitimate educational interests*** means a person who needs to review a student's education record or receive information therefrom in order to fulfill his or her employment or official responsibilities and who is:
 - A. A person employed by the Chittenden South Supervisory Union as an administrator, supervisor, educator or substitute therefore, paraprofessional or support staff member, including tutorial, health, custodial, transportation, nutrition, athletic, extra or co-curricular, clerical or other school district employee;
 - B. A member of the Chittenden South Supervisory Union School Board;
 - C. A person or company with whom the Chittenden South Supervisory Union has contracted to perform a special task, including but not limited to an attorney, auditor, medical consultant, therapist, evaluator, transportation, or student services;
 - D. A volunteer assisting another school official in the performance of his or her tasks; and
 - E. Any other person designated by the Chittenden South Supervisory Union Board or principal of any school within the Chittenden South Supervisory Union to have legitimate educational interests.

2. ***Directory information.*** The school will release directory information without prior written consent unless the parent or guardian or eligible student informs the principal in writing that any or all of the information designated below should not be released without prior consent.
 - A. Student's name, address, date of birth, dates of enrollment;
 - B. Parent or guardian's name and address;
 - C. Student's grade level classification;
 - D. Student's participation in recognized school activities and sports;
 - E. Weight and height of members of athletic teams;
 - F. Student's diplomas, certificates, awards, and honors received.

Implementation

The superintendent is responsible for developing procedures to assure the consistent implementation of this policy. The procedures shall comply with all federal and state laws and regulations governing the collection, maintenance, disclosure, and destruction of education records.

1. ***Parental Notification.*** Annually, the school will notify parents or guardians of students currently in attendance and eligible students (age 18 and over) currently in attendance of their rights under the Family Educational Rights and Privacy Act (FERPA) of 1974. Notice will be given in a manner outlined by the Superintendent and likely to inform parents or guardians and eligible students of their rights. The notice will include a statement that the parent or guardian or eligible student has a right to:
 - A. Inspect and review the student's education records;
 - B. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
 - C. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that the Act authorizes disclosure without consent;
 - D. File with the U.S. Department of Education a complaint concerning alleged failures by the school to comply with requirements of the Act; and
 - E. Obtain a copy of the school's policy and written procedures or protocols related to student records.
2. ***Notification to Parents*** Required by the No Child Left Behind
 - A. Parents of students attending grades 9-12 and eligible students shall be notified annually that the No Child Left Behind Act requires the release of a student's name, address and telephone listing to military recruiters and institutions of higher learning upon request. In accord with the Act, parents or eligible students will further be notified that they may request that the district not release this information, and the district will comply with the request.
 - B. Parents shall be notified annually if the district has or adopts a policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy in the event of such collection, disclosure or use.
3. ***Release/Review of Student Information***
 - A. Disclosure of student information will be made only with the written consent of the parent or guardian or eligible student subject to the following exceptions:
 1. Information may be disclosed to officials of the school in which the student is enrolled who have a legitimate educational interest in the records and require the information to adequately carry out their jobs;
 2. Information may be disclosed upon request to officials of a school in which the student seeks or intends to enroll;
 3. Under court order or subpoena;
 4. To individuals seeking Directory Information: *see definitions*
 5. In connection with a student's request for financial aid;
 6. To appropriate parties in a health or safety emergency.

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- B. Parents or guardians of students or eligible students may inspect and review the student's records upon request. Parents or guardians should submit requests to the principal in writing specifying as precisely as possible the information he or she wishes to inspect. The principal will make appropriate arrangements to meet with the parent(s) or guardian(s) for such inspection according to procedures developed by the school's administration.

If an eligible student or parent or guardian believes the education records contain information that is inaccurate, misleading or in violation of any of the student's rights, s/he may request the building principal to amend the record. If the building principal decides not to amend the record as requested, the student or parent or guardian may appeal using the district's general appeal process.

- C. Non-custodial Parents: Access to a student's school records shall not be denied to a parent solely because that parent has not been awarded parental rights and responsibilities by a court. However, access will be denied where a court order or other legally binding document specifically revokes a parent's right of access to such records.
- D. Each contract entered into between Chittenden South Supervisory Union and persons or entities who may either receive a student's education records or personally identifiable information shall contain a provision setting forth restrictions on re-disclosure of information from education records.
- E. School districts will maintain a record of all requests for and/or disclosures of information from a student's records according to the school's procedures. The District will record, also, all requests for amendment of the record and the disposition of the request(s).

- 4. ***Juvenile Court Records.*** The Family Court is required to inform in writing the superintendent of the district in which a student is enrolled within seven days of a court finding that the student has committed a delinquent act requiring notice.

- A. Sharing of Information. The superintendent shall inform only those for whom the information is necessary for the rehabilitation program of the child or for the protection of staff or students, and only after first evaluating rehabilitation and protection measures that do not involve informing staff or students. "Need to know" should be narrowly and strictly interpreted. Persons receiving this information should not discuss the information with anyone except the superintendent, the child, the child's parent or guardian, law enforcement personnel, the student's probation officer or others who have been similarly informed.

- B. Maintenance of Records. The notice from the Family Court shall be maintained by the superintendent in a file separate from the student's education record. Upon the graduation of the student or when the student turns 18, the superintendent shall destroy the record. If a student transfers to another public or private school, the superintendent shall forward the written notice in the original marked envelope to the superintendent or headmaster of the school to which the student is transferring.

- C. Transfer of Records. When a student transfers to another school or school district, all student records shall be forwarded.

- D. Staff Training. Annually, the superintendent shall ensure that training is provided to each member of the school board and staff concerning his or her education records consistent with the Family Educational Rights and Privacy Act. Such training shall be tailored to the scope of the staff or board member's duties and, as appropriate, include presentation of information on:

- 1. The maintenance and storage of education records;

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2. Record keeping requirements regarding disclosure of a student’s education records;
3. The potential penalties both to the staff member and the school for inappropriate disclosure of a student’s education record or personally identifiable information therefrom;
4. The definitions of “record,” “education record,” “directory of information,” and “personally identifiable information” under federal law;
5. Where to receive advice and direction in circumstances where the board or staff member’s responsibilities in this regard are unclear; and
6. The penalties for violation of the rules of confidentiality set forth in Vermont law.

	Date Warned	Date Adopted
Chittenden South Supervisory Union	12/28/2006	1/10/2007
Champlain Valley Union School District	1/31/2007	3/14/2007
Charlotte School District	3/23/2007	4/3/2007
Hinesburg School District	12/28/2006	1/10/2007
Shelburne School District	12/28/2006	1/10/2007
Williston School District	12/28/2006	1/10/2007

Legal Reference(s): 20 U.S.C. §§ 1232f-1232j (*Federal Family Educational Rights and Privacy Act*)
20 U.S.C. § 7908 (*NCLBA Armed Forces Recruiter/Higher Education Access*)
30 C.F.R. Part 99
1 V.S.A. §317 (*Definitions*)
15 V.S.A. §670 (*Non-custodial parents*)
33 V.S.A. §5336a (*Juvenile court records*)
State Board of Education Manual of Rules & Practices §2120.8.3.3

Cross Reference:

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- Appendix I "Definitions Used in Implementing the Student Records; Family Privacy Policy"
- Appendix II "Procedures: Annual Notification of Rights and Directory Information"
- Appendix III "Procedures Inspection/Review of Records by Eligible Parent or Student"
(See Appendix II for Procedures)
- Appendix IV "Procedures: Parent/Eligible Student Request to Amend Records"
(See Appendix II for Procedures)
- Appendix V "Procedures: Determination of Authorized Access to Education Records"
(See Appendix II for Procedures)

Members:	First Reading	Warning	Adopted	Revision Warned	Revision Adopted
C.S.S.U.	April 28, 1999	June 8, 1999	June 23, 1999		
C.V.U.	Jan. 11, 1999	Feb. 8, 1999	March 8, 1999		
Charlotte	Feb. 2, 1999	March 16, 1999	April 6, 1999		
Hinesburg	Jan. 13, 1999	Feb. 9, 1999	April 13, 1999		
St. George	April 8, 1999	May 25, 1999			
Shelburne	Feb. 10, 1999	March 10, 1999	April 14, 1999		
Williston	Jan. 21, 1999	Feb. 18, 1999	March 18, 1999		