

Maintenance of School Student Records

The District maintains two (2) sets of school records for each student. The permanent record may include:

- Basic identifying information
- Academic transcripts
- Attendance record
- Accident and health reports

The cumulative record may include:

- Intelligence and aptitude scores
- Psychological reports
- Achievement test results
- Participation in extra curricular activities
- Honors and awards
- Teacher anecdotal records
- Special education files
- Verified reports or information from non-educational persons
- Verified information of clear relevance to the student's education
- Information pertaining to the release of this record
- Disciplinary information

Information in the permanent record will indicate authorship and date. Cumulative records which may be of continued assistance to the student with disabilities who graduates or permanently withdraws from the District, may, after five years, be transferred to the parent(s)/guardian(s) or to the student, if the student has succeeded to the rights of the parent(s)/guardian(s).

The Principal shall be responsible for the maintenance, retention, or destruction of a student's permanent or cumulative records in accordance with the District's procedure established by the Board.

Access to Student Records

The District shall grant access to student records as follows:

1. The District or any District employee shall not release, disclose, or grant access to information found in any student record except under the conditions set forth in this document.
2. The parent(s)/guardian(s) of a student under 18 years of age, or designee, shall be entitled to inspect and copy information in the child's school records. Such requests shall be made in writing and directed to the records custodian. Access to the records shall be granted within 5 days of the District's receipt of such a request.

Where the parents/guardians are divorced or separated, both shall be permitted to inspect and copy the student's school records unless a court order indicates otherwise. The District shall send copies of the following to both parents/guardians at either one's request, unless a court order indicates otherwise:

- a. Academic progress reports or records;
- b. Health reports;
- c. Notices of parent-teacher conferences;
- d. School calendars distributed to parents/guardians; and
- e. Notices about open houses, graduations, and other major school events including pupil-parent(s)/guardian(s) interaction.

When the student reaches 18 years of age, graduates from high school, marries, or enters military service all rights and privileges accorded to a parent(s)/guardian(s) become exclusively those of the student.

Access shall not be granted the parent(s)/guardian(s) or the student to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment or the receipt of an honor or award if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters or statements.

3. The District may grant access to, or release information from, student records to employees or officials of the District or the Montana State Board of Education provided a current, demonstrable, educational or administrative need is shown, without parental/guardian consent or notification. Access in such cases shall be limited to the satisfaction of that need.
4. The District may grant access to, or release information from, student records without parental/guardian consent or notification to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified from the information released, the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
5. The District shall grant access to or release information from a student's records pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice upon receipt of such order of its terms, the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents.
6. The District shall grant access to or release information from any student record as specifically required by federal or state statute.
7. The District shall grant access to or release information from student records to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student with particularity as to whom the records may be released, the information or record to be released, and the reason for the release. One copy of the consent form will be kept in the records and one copy shall be mailed to the parent(s)/guardian(s) by the Principal. Whenever the District requests the consent to release certain records, the records custodian shall inform the parent(s)/guardian(s) or eligible student of the right to limit such consent to specific portions of information in the records.
8. The district may release student records to the appropriate official in a school in which the student has enrolled or intends to enroll, upon written request from such official.
9. Prior to the release of any records or information under items 5, 6, 7 and 8 above, the District shall provide prompt written notice to the parent(s)/guardian(s) of this intended action. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.
10. The District may release student records or information in connection with an emergency without parental consent if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District shall notify the parent(s)/guardian(s) or eligible student as soon as possible of the information released, the date of the release, the person, agency or organization to whom the release was made, and the purpose of the release.
11. The District charges \$.05 per page for copying information in the student's records. No parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.

12. A record of all releases of information from student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. This record shall be maintained for the life of the student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, records custodian, or other person. The record of release shall include:
- a. Information released or made accessible.
 - b. The name and signature of the records custodian.
 - c. The name and position of the person obtaining the release or access.
 - d. The date of the release or grant of access.
 - e. A copy of any consent to such release.

Directory Information

The District may release certain directory information regarding students, except that parent(s)/guardian(s) may prohibit such a release. Directory information shall be limited to: name, address, gender, grade level, birth date and place, parents/guardians names and addresses, academic awards and honors, information in relation to school-sponsored activities, organizations, and athletics, and period of attendance in school. Parent(s)/guardian(s) and students will have the right to object to the release of directory information.

Student Record Challenges

The parent(s)/guardian(s) may challenge the accuracy, relevancy or propriety of the records, except (1) grades, and (2) references to expulsions or out-of-school suspensions, if the challenge is made when the student's school records are being forwarded to another school. They have the right to request a hearing at which each party has:

- the right to present evidence and to call witnesses;
- the right to cross-examine witnesses;
- the right to counsel;
- the right to a written statement of any decision and the reasons therefore;
- the right to appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.

The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The school will include a statement in any release of the information in dispute.

Legal Reference: Family Education Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. 99
 § 20-5-201, MCA Duties and sanctions
 § 40-4-225, MCA Access to records by non-custodial parents
 10.55.2002, ARM Student records

Policy History:

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