

PRIVACY ACT AND STUDENT RECORDS

I. INTRODUCTION

- A. The Family Education Rights and Privacy Act of 1974 guarantees to all parents the right to examine their student's educational records and correct any errors contained therein. The Act also severely limits access to these records by unauthorized personnel. These rights are automatically transferred to the student at age eighteen (18).
- B. Parents have a right to review and inspect all educational records maintained by the school. Such requests must be granted within thirty (30) operational days. Additionally, parents must be given a copy of any educational record which is on file. Schools should respond to reasonable requests by parents to interpret and/or explain items contained within a student's educational record. Schools may not disseminate information contained within a student's educational record to unauthorized personnel unless and until
 1. The parents give their written permission for release of such information.
 2. A court order mandates release of such information
 3. A lawfully issued subpoena mandates release of such information.
- C. Schools requesting educational records on students who are newly enrolled will receive copies of their educational records upon request. Authorized school personnel, such as principals, counselors, teachers, social workers, assessment personnel, supervisors, school nurses, and other persons with legitimate educational interests, are authorized to review a student's educational records. Prospective employers may view those portions applicable to a position for which a former student is a candidate, upon request by a parent, or a student who is over eighteen (18).

II. EDUCATIONAL RECORDS

- A. The following items compose a student's educational records in the Lafayette Parish School System:
 1. Educational Records
 - a. Records of grades earned

- b. Standardized test data
- c. Attendance records
- d. Evaluation reports
- e. IEP reports
- f. Driver training records
- g. Graduation records
- h. Disciplinary records
- i. Health Records
- j. All other records contained within the cumulative folder not considered directory information as defined in IV.C.

III. PROCEDURES FOR GAINING ACCESS TO A STUDENTS EDUCATIONAL RECORDS IN LAFAYETTE PARISH SCHOOLS

- A. Qualified school personnel, with a legitimate educational interest, may obtain permission to view a student's educational records through the school building principal or his designee. Such personnel must sign the record access sheet prior to reviewing educational records.
- B. Special education reports (Pupil Appraisal data) will be maintained by the principal or his designee. These records will be housed in appropriate filing cabinets. Within the general vicinity of the housed records, a confidentiality notice must be posted. A student access sheet will be included in each student's folder and any person not listed on the "Confidentiality Notice" must sign to view records.
- C. Parents may gain access to their student's records by submitting a formal written request or by appearing in person at the principal's office and presenting a verbal request. Within thirty (30) days from receipt of such a request, the school will make available the information requested via a conference with the building administrators. The cost of any reproduction of records will be borne by the parents and will be based on a rate of \$.30 per page.

IV. DUE PROCESS RIGHTS

A. Procedures for Challenging Contents of Educational Records in Lafayette Parish Schools:

1. Following the review of a student's educational records, parents may request a hearing for the purpose of correcting or deleting information found in the educational records. Before the hearing the parent or student, if he or she is over eighteen (18), may place a letter of disagreement in the records, reflecting the parent's or student's view of incorrect information contained in the records.
2. The hearing will be conducted by the school principal or his designee. During the hearing, parents will be given every opportunity to present their grievances regarding the content of the educational records. A written decision will be forwarded to the parents within thirty (30) days and will indicate whether alleged erroneous information will be changed or expunged. Affected parents or student, if over eighteen (18), may appeal the decision directly to the Lafayette Parish School Board.

B. Notice of Intent to Disclose Directory Information

1. Annually, the Lafayette Parish School Board shall inform all eligible students and their parents the following:
 - a. What student privacy rights are under the law.
 - b. What information is to be treated as "directory information."

C. Policies for General Release of Information

Schools may not release educational records to unauthorized persons without securing written permission from a parent, or a student over eighteen (18). Schools may release "directory" information which includes name, date and place of birth, area of study, school activities, weight and height (for athletes), honors, awards, and previous school attendance. Directory information may be released, unless a parent or student over eighteen specifically requests the information remain confidential.

The release of "directory" information shall be regulated under La. R.S. 44:1, et seq. Further R.S. 44:32 provides that if there is a question of whether the desired information is part of the public record, the record custodian must advise the interested party, in writing within thirty (30) days exclusive of legal holidays, of his decision and the reasons for same.

V. DESTRUCTION OF RECORDS

A. Regular Education Records

1. The educational records of all graduates and of students, who have not received educational services for the past five (5) consecutive years, will be placed on microfilm and the original records will be destroyed.

B. Special Education Records

1. The educational records of students, who have not received special educational services for the past five (5) consecutive years, may be destroyed. The procedure for the destruction of records will be as follows:
 - a. The parent or guardian listed in the student's records will be notified, by letter, at the last known address, of the system's intent to destroy these records, pending the parent's receipt of notification. Should the letter be returned with no forwarding address, the records will be destroyed.
 - b. A permanent record, including the student's name, date of birth, address, telephone number, and Special Education evaluation reports, will be microfilmed and maintained without time limitation.

Adopted: 8/4/76
Revised: 12/3/80
Revised: 4/1/81
Revised: 8/19/81
Revised: 12/16/98