

STUDENT RECORDS

It is the policy of the Oakdale Board of Education that the principal will be the legal custodian of all student records for that school.

Parents will have access to their school records. Parents have the right to know and will be informed of:

1. The type of records kept;
2. The procedure for inspecting and copying these records;
3. The right for interpretation;
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

Oakdale does not collect student information for the purpose of marketing or selling that information.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, counselor or any other school official for his or her own use, and which are not available to others are exempted from this definition.

The school will require a prior written consent before information other than directory information may be divulged to third parties. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll. A school district in which a student is enrolled or is in the process of enrolling in may request the student's education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When schools transfer records to new educational institutions, the schools must notify parents of the transfer, and of their right to review and contest the material. An exemption exists for material under court order. Parents must be notified of such order prior to release.

The district will release individual student records from the current or previous school year to a school district where the student was previously enrolled if the release of such records is for the purposes of evaluating educational programs and school effectiveness.

STUDENT RECORDS (Cont.)

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

The superintendent is directed to establish procedures to ensure compliance with the Family Educational and Privacy Act and other applicable acts and regulations.

REFERENCE: 34 CFR 99.1
18 USC §§2331 and 2332(g)(5)(B)
20 USC 1232
P. L. 107-110, No Child Left Behind Act of 2001
51 O.S. §24A.16
70 O.S. §6-115
70 O.S. §24.101.4
70 O.S. §24-114

Notification of Rights under FERPA for Elementary and Secondary Institutions

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- The right to inspect and review the student's education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or otherwise in violation of the student's privacy rights.

Parents or eligible students may ask the district to amend a record that they believe is inaccurate or misleading or otherwise in violation of the student's privacy rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading or otherwise in violation of the student's privacy rights.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (NOTE: FERPA requires a school district to state in its annual notification that it intends to forward records on request).

- The right to file a complaint with United States Department of Education concerning alleged failures by the district to comply with requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, United States Department of Education, 600 Independence Avenue, SW, Washington, D.C. 20202-4605