

Students

Administrative Procedure - Student Records

Student Records Defined

A student record is any record that contains personally identifiable information or other information that would link the document to an individual student if it is maintained by the District, except records kept: (1) in a school staff member's sole possession destroyed not later than the student's graduation or permanent withdrawal, and not accessible or revealed to any other person except a temporary substitute teacher, or (2) by law enforcement officials working in the school.

Maintenance of School Student Records

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *permanent record* shall include:

- Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parent(s)/guardian(s)
- Academic transcripts, including grades, class rank, graduation date, grade level achieved, and scores on college entrance examinations
- Attendance record
- Accident and health reports
- Record of release of permanent record information in accordance with 105 ILCS 10/6(c)
- Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12)

The *permanent record* may include:

- Honors and awards received
- School-sponsored activities and athletics

No other information shall be kept in the permanent record. The permanent record shall be maintained for at least 60 years after the student graduated, withdrew, or transferred.

All information not required to be kept in the student permanent record is kept in the student *temporary record* and must include:

- A record of release of temporary record information in accordance with 105 ILCS 10/6(c)
- Scores received on the State assessment tests administered in the elementary grade levels (that is, kindergarten through grade 8)
- Information regarding serious infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction
- Information provided under the Abused and Neglected Child Reporting Act (325 ILCS 5/8.6), including any final finding report received from a Child Protective Service Unit
- Completed home language survey

The *temporary record* may include:

- Family background information
- Intelligence test scores, group and individual
- Aptitude test scores

Reports of psychological evaluations, including information on intelligence, personality and academic information obtained through test administration, observation, or interviews
Elementary and secondary achievement level test results
Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
Honors and awards received
Teacher anecdotal records
Other disciplinary information
Special education files, including the report of the multidisciplinary staffing on which placement or nonplacement was based, and all records and tape recordings relating to special education placement hearings and appeals
Verified reports or information from non-educational persons, agencies, or organizations
Verified information of clear relevance to the student's education

Information in the temporary record will indicate authorship and the date it was added to the record. The District will maintain the student's temporary record for at least 5 years after the student transferred, graduated, or permanently withdrew. Temporary records that may be of assistance to a student with disabilities who graduates or permanently withdraws, may, after 5 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 Building Principal is the records custodian for his or her respective building and is responsible for the maintenance, care, and security of a student's permanent or temporary records. Upon a student's graduation, transfer, or permanent withdrawal, the Building Principal or designee shall notify the parent(s)/guardian(s) and the student when the student's permanent and temporary school records are scheduled to be destroyed and of their right to request a copy. Before any school student record is destroyed or information deleted therefrom, the parent/guardian must be given reasonable prior notice at his or her last known address and an opportunity to copy the record and information proposed to be destroyed or deleted. Student records shall be reviewed at least every 4 years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and correct inaccurate information.

The District uses students' Social Security numbers for intra-school identification purposes, if at all. However, school officials may not require students or their parents/guardians to provide them. Absent a court order or subpoena, school officials do not provide educational records to the Immigration and Naturalization Service.

Access to Student Records

The District shall grant access to student records as follows:

1. Neither the District nor any of its employees shall release, disclose, or grant access to information found in any student record except under the conditions set forth in the Illinois School Student Records Act.
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; a student less than 18 years old may inspect or copy information in the student's permanent school record. Such requests shall be made in writing and directed to the Building Principal. Access to the records shall be granted within 15 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 the District has actual notice of a court order

indicating otherwise. The District shall send copies of the following to both parents/guardians at either's request, unless the District has actual notice of a court order indicating 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/guardian interaction.

When the student reaches 18 years of age, graduates from high school, marries, or enters military service all rights and privileges accorded to 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 which were placed in the records prior to January 1, 1975, provided such letters and statements are not used for purposes other than those for which they were specifically intended. Access shall not be granted to such letters and statements entered into the record at any time 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 and statements.

3. The District may grant access to, or release information from, student records without parental/guardian consent or notification to District employees or officials or the Illinois State Board of Education, provided a current, demonstrable, educational or administrative need is shown. Access in such cases is 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, and 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 of such order's 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. However, the District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or the consent of the student's parent(s)/guardian(s).
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 stating 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 is mailed to the parent(s)/guardian(s) or eligible student by the Superintendent. Whenever the District requests the consent to release certain records, the Building Principal 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 Building Principal of another Illinois school, or an official with similar responsibilities in a non-Illinois 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 6 and 8 above, the District shall provide prompt written notice to the parent(s)/guardian(s) or eligible student 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. If the release is under 6 above and relates to more than 25 students, a notice published in the newspaper is sufficient.
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 Building Principal shall make this decision taking into consideration the nature of the emergency, the seriousness of the threat to the health or 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 shall grant access to, or release information from student records to juvenile authorities when necessary for the discharge of their official duties upon their request before the student's adjudication, provided they certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. "Juvenile authorities" means: (a) a circuit court judge and court staff members designated by the judge; (b) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (c) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (d) any individual, public or private agency having court-ordered custody of the child; (e) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (f) any potential placement provider when such release is authorized by the court to determine the appropriateness of the potential placement; (g) law enforcement officers and prosecutors; (h) adult and juvenile prisoner review boards; (i) authorized military personnel; and (j) individuals authorized by court.
12. The District shall grant access to, or release information from student records, to a SHOCAP (Serious Habitual Offender Comprehensive Action Program) committee member, provided that:
 - a. The committee member is a State or local official or authority,
 - b. The disclosure concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are to be released and the official or authority certifies in writing that the records will not be disclosed to any other party except as provided under State law without the prior written consent of the student's parent(s)/guardian(s),
 - c. The disclosure's purpose is limited to identifying serious habitual juvenile offenders and matching those offenders with community resources pursuant to Section 5-145 of the Juvenile Court Act of 1987, and
 - d. The release, transfer, disclosure, or dissemination consistent with the Family Educational Rights and Privacy Act.

13. Upon their request, military recruiters and institutions of higher learning shall have access to secondary students names, addresses, and telephone listings, unless an objection is made by the student's parent(s)/guardian(s). The Building Principal or designee shall notify parents/guardians that they may make this objection.
14. The District charges \$.35 per page for copying information from a student's records. No parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.
15. Except as provided below, 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, Building Principal, or other person. The record of release shall include:
 - a. Information released or made accessible.
 - b. The name and signature of the Building Principal.
 - 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.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order.

Orders of Protection

Upon receipt of a court order of protection, the Building Principal shall file it in the records of a child who is the "protected person" under the order of protection. No information or records shall be released to the Respondent named in the order of protection. When a child who is a "protected person" under an order of protection transfers to public or private school, or as soon as possible, the Building Principal shall, at the request of the Petitioner, provide, within 24 hours of the transfer or as soon as possible, written notice of the order of protection, along with a certified copy of the order, to the school to which the child is transferring.

Directory Information

The District may release certain directory information regarding students, except that a student's parent(s)/guardian(s) may prohibit the release of the student's directory information. Directory information is limited to:

- Name
- Address
- Gender
- Grade level
- Birth date and place
- Parents'/guardians' names and addresses
- Academic awards, degrees, and honors
- Information in relation to school-sponsored activities, organizations, and athletics
- Major field of study
- Period of attendance in school

The notification to parents/guardians and students concerning school records will inform them of their right to object to the release of directory information.

Student Record Challenges

The parents/guardians may challenge the accuracy, relevancy, or propriety of their student's school records. However when the student's school records are being forwarded to another school, no challenge may be made to grades or references to expulsions or out-of-school suspensions. The parents/guardians have the right to request a hearing at which each party has the right to:

1. Present evidence and to call witnesses;
2. Cross-examine witnesses;
3. Counsel;
4. A written statement of any decision and the reasons therefore; and
5. 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 copy of the statement in any release of the information in dispute.

LEGAL REF.: 20 U.S.C. §1232(g)(j).
Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).
Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App.1, 2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.
105 ILCS 5/10-21.8 and 10/1 et seq.
23 Ill.Admin.Code §375.

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