

STUDENTS

Student Records

Accurate, cumulative records shall be maintained for every child enrolled in the Okemos Public Schools.

Parents/guardians and eligible students shall have the right to inspect and review the student's education records. Parents/guardians and eligible students also have the right to request amendment of the student's education record if they believe the record contains inaccurate, misleading information or is in violation of the student's rights.

No records, files or data directly relating to an individual student shall be made available to anyone without prior written consent of the parent/guardian or eligible student, except as otherwise permitted by law.

The superintendent of schools shall establish regulations and procedures for the maintenance, retention, disclosure and destruction of student records to comply with all applicable laws and regulations, including: the Family Educational Rights and Privacy Act (FERPA) as amended; the Individuals with Disabilities Act (IDEA) and its regulations; and the Michigan Revised Administrative Rules for Special Education.

The district shall provide parents/guardians and students currently enrolled in the district annual notice of their rights under FERPA, IDEA, and this policy through the school newsletter, or handbook. The district will make reasonable efforts to notify parents/guardians who have a primary or home language other than English of their rights in their native language and will make reasonable efforts to notify parents/guardians or eligible students with disabilities. In addition, copies of this policy and regulations shall be available for review in each school and the superintendent's office.

In the event a parent/guardian or eligible student believes the school district is violating the Family Educational Rights and Privacy Act, that individual has the right to file a written complaint with the United States Department of Education at: Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue SW, Washington, D.C. 20202-4605. Parents/guardians of students with disabilities or eligible students with disabilities may contact the following offices if they have a complaint concerning the alleged failure of the school to comply with the Individuals with Disabilities Act: Office of Special Education, Michigan Department of Education, PO Box 30008, Lansing, MI 48909; or the U.S. Department of Education at the above address.

Legal Reference:
 Family Educational Rights & Privacy Act (FERPA)
 Individuals with Disabilities Act (IDEA)
 Freedom of Information Act (FOIA)

Policy
 Adopted: 12-74
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 Reviewed:

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The procedures outlined in these regulations regarding the maintenance, retention, disclosure and destruction of student education records have been established by the superintendent of schools to comply with all applicable laws and regulations, including the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Act (IDEA), and the Michigan Revised Administrative Rules for Special Education.

DEFINITIONS:

Student	Any person who is currently receiving or has received educational services from the district.
Eligible Student	A student or former student who is emancipated or has reached age 18 or is attending a post-secondary school.
Parent	Either a natural parent of the student, a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian, including, but not limited to, a surrogate parent.
Education Records	Any record (in handwriting, print, tapes, film, and/or electronic) maintained by the district or an agent of the district which is directly related to a student.
Personally Identifiable Information	Any data or information that makes the identity of a student known. This includes the student's name, the student's parent, guardian or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics, or any other information which would make the student's identity known.
Directory Information	Information from the student's education record designated by the parent/guardian or eligible student which may be released without prior written consent.

A: CUMULATIVE RECORDS

During the first week of school, an appropriate enrollment form must be completed for each student officially enrolled in an Okemos Public School. This cumulative record shall be initiated by the building principal or designee for each student's initial enrollment in the Okemos Public Schools.

1. The cumulative record shall contain, but not be limited to, the following types of information:
 - a. Identifying data (name, date of birth, etc.)
 - b. Family information-
 - c. Attendance data
 - d. Academic work completed (report cards, transcripts, etc.)
 - e. Level of achievement (grades, standardized tests, etc.)
 - f. Scores on standardized intelligence, aptitude and psychological tests-

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- g. Health data (immunization records, vision screening, etc.)
 - h. Teacher or counseling ratings and observations
 - i. Disciplinary records (notes or observations made concerning a student by an individual teacher, counselor or administrator which are not communicated to other individuals are not considered part of the official record, files or data which must be made available.)
2. The cumulative record shall be located in the school of current enrollment for each student during his/her educational career in the district.
 3. The cumulative record shall be stored in secured facilities or equipment. The record shall be the responsibility of the building principal and available only to individuals authorized under these regulations.
 4. A cumulative record may not be released to an eligible student or the student's parent or guardian. Copies of information may be provided when requested by the eligible student or the student's parent or guardian.
 5. Upon a student leaving the district, the cumulative record or parts thereof shall be stored in the last school of enrollment indefinitely, unless a written request by the eligible student or the student's parent or guardian is received to forward all data to a requesting institution outside the district.
 - 5.1 If a student's record is forwarded to another institution outside the district, a record of a student's enrollment and attendance in the Okemos school(s) shall be retained for a period of three years.
 - 5.2 Transcripts of school district graduates shall be retained for a period of 99 years.

B: IDENTIFICATION AND LOCATION OF STUDENT RECORDS

An Identification and Location of Student Records listing (Attachment A) is provided to designate the types and locations of education records the district maintains, as well as the title and address of the custodian of the records.

1. The superintendent of schools or designee is responsible for providing instruction to all individuals listed in the Identification and Location of Student Records listing (Attachment A) regarding the confidentiality requirements set forth in the district's policy and regulations.
2. The school officials listed in the Identification and Location of Student Records listing shall provide instruction to all individuals under their supervision regarding the confidentiality requirements set for in the district's policy and regulations.

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3. The school officials listed in the Identification and Location of Student Records listing (Attachment A) are responsible for following the procedures established by the school district regarding storage, forwarding, disclosure and destruction of the educational records for which they are responsible.
4. The Identification and Location of Student Records listing will be reviewed annually to assure accuracy of the types of records maintained by the district, the record locations, and the record custodians.

C. INSPECTION AND REVIEW OF EDUCATION RECORDS

Parents/*guardians* of students, eligible students, and persons representing the parents/*guardians* of students with disabilities may inspect and review the student's education records and may make reasonable requests for explanations and interpretation of the records.

1. Parents/*guardians* of students, eligible students, and persons representing the parents/*guardians* of students with disabilities should submit to the building administrator a written request that identifies as precisely as possible the records they wish to inspect or review or receive explanation or interpretation.
 - 1.1 When a record contains information about a student other than a parent/*guardian's* child or the eligible student, the parent/*guardian*, eligible student or individual representing the parents/*guardians* of students with disabilities will have the right to inspect and review only that information relating specifically to the individual student or be informed of the specific information.
 - 1.2 Parents/*guardians* of students with disabilities, eligible students, and individuals representing the parents/*guardians* of students with disabilities shall be allowed to inspect and review the student's records prior to any IEPC meeting or due process hearing related to the identification, evaluation or placement of the child.
2. The building administrator will make the necessary arrangements for review, inspection, explanation or interpretation within fifteen (15) school days following the date the request is received.
3. All records must be examined in the school district office or appropriate school building during the business day in the presence of the building administrator or designee. Special education records shall be reviewed in the presence of the director of special education or designee.
4. If circumstances effectively prevent a parent/*guardian*, eligible student or individual representing the parents/*guardians* of a student with a disability from exercising their right to inspect and review the student's education records (e.g., work hours, distance,

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health), arrangements will be made for the parent/guardian, eligible student or individuals representing the parents/guardians of students with disabilities to obtain copies of the records requested.

D. FEES FOR COPIES

The Okemos Public Schools will provide parents/guardians, eligible students, or individuals representing the parents/guardians of students with disabilities with copies of student education records as deemed appropriate under these regulations. The district reserves the right to charge a fee plus postage.

1. The appropriate fee for copies will be determined annually.
 - 1.1. There will be no charge for retrieval of or search for records.
 - 1.2. If the parent/guardian or eligible student is financially unable to pay the fee, the district will arrange for a reduced fee or provide copies free of charge.
2. The school district will not deny copies of records when: a) such refusal effectively denies access by a parent/guardian or eligible student to the records; or b) records are being transferred from one school district to another.

E. DIRECTORY INFORMATION

1. The following information contained in a student's education records is designated as "directory information" and may be disclosed without the parents'/*guardians*' or eligible student's prior written consent:
 - a. Student Name
 - b. Names of Student's Parents or Guardian
 - c. Address
 - d. Telephone Numbers
 - e. Birth Dates
 - f. Class Designation (e.g., 1st grade, 10th grade, etc.)
 - g. Dates of Attendance
 - h. Extra-curricular Participation
 - i. Achievement Awards or Honors (not specific course grades)
 - j. Weight and Height if a member of an athletic team
 - k. Photograph, Newspaper, TV, Videotape
 - l. School or School District Previously Attended
 - m. Parent/Guardian E-mail
2. The above list, or a revised list, of items designated as "directory information" will be published in the first school newsletter or student handbook of each year.

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3. Parents/guardians or eligible students will have two weeks to advise the principal in writing of any or all of the items they refuse to permit the district to designate as directory information.
4. For students enrolling after the notice is published, the list will be given to the student's parent/guardian or to the eligible student at the time and place of enrollment.

F. USE OF STUDENT EDUCATION RECORDS

1. To carry out their responsibilities, school officials may have access to students' education records for legitimate educational purposes. A school official is defined as:
 - a. A person employed by the school board as an administrator, director, supervisor or as an instructor.
 - b. A person employed by or under contract to the school board to perform a special task such as secretary, clerk, school board attorney, or auditor for the period of his/her performance as an employee or contractor.
 - c. A person employed by the school board as a long-term substitute for administrative, supervisory or instructional personnel for the period of his or her performance as a long-term substitute.
 - d. A person serving as an intern or student teacher under the direct supervision of those individuals designated in a-c above.
 - e. An Ingham Intermediate School district staff member assigned to the Okemos Public Schools.
2. School officials who meet the above definition(s) will have access to a student's education records if he or she has a legitimate educational interest in doing so. A "legitimate educational interest" is defined as the person's need to know in order to perform:
 - a. an administrative task requested in the person's job description;
 - b. a supervisory or instructional task directly related to the student's education; or
 - c. a service or benefit for the student's family such as health care, counseling, student job placement or student financial aid.

G. DISCLOSURE OF EDUCATION RECORDS

The school district may release information from a student's education record to third parties if the student's parent/guardian or eligible student gives prior written consent for the disclosure.

1. The written consent must:
 - a. Specify the records that may be disclosed;
 - b. State the reason for the disclosure;
 - c. Identify the person or organization or the class of persons or organizations to whom the disclosure is to be made;
 - d. Contain the parent/guardian or student's signature; and
 - e. Note the date of the consent and, if appropriate, a date when the consent is to be terminated.

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2. The district may release information from or permit access to students' education records without a parent/guardian or eligible student's prior written consent under the following circumstances:
 - a. In response to a request from a school official determined to have a legitimate education interest as defined above in F. Use of Student Education Records.
 - b. When the student enrolls in another school district or post-secondary school. At this time, parents/guardians and eligible students have the right to obtain copies of records transferred under this provision.
 - c. When certain federal and state officials need information in order to audit, evaluate, or enforce compliance with legal requirements related to federally-supported education programs in the district.
 - d. In response to a request from parties who provide or may provide financial aid to the student to establish eligibility for the aid; determine the condition of aid; or enforce the terms and conditions of financial aid.
 - e. If a state law requires certain specific items of information to be disclosed in personally identifiable form from a student education record to state or local officials.
 - f. When the school district has entered into written agreement or contract for an organization to conduct studies for or on behalf of the school district to develop, validate or administer student aid programs; or improve instruction.
 - g. In response to requests from accrediting organizations to carry out their accrediting functions.
 - h. In response to a request from the parents/guardians of an eligible student if the parents/guardians claim the student as a dependent as defined by the Internal Revenue Code.
 - i. To comply with a judicial order or lawfully issued subpoena. The district will make a reasonable effort to notify the parent/guardian or eligible student before making a disclosure under this provision, unless the disclosure is in compliance with federal grand jury subpoena or any other subpoena issued for law enforcement purpose and the court has ordered that the existence or content of the subpoena or the information furnished in response to the subpoena not be disclosed.

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NOTE: If the district has initiated legal action against a parent or student, the district may disclose the student's education record to a court of law without a court order or subpoena if the district makes a reasonable effort to notify the parent or student of its intent to disclose to the court the student records relevant to the action.

- j. The student's parent/guardian or the eligible student has not refused to allow the district to designate the information as directory information for the student as outlined above in E.DIRECTORY INFORMATION.
 - k. In response to a request from the parent/guardian of a student who is not an eligible student or to an eligible student.
3. The district will permit any of its officials to disclose personally identifiable information from an education record to appropriate parties without the parents'/guardians' or eligible student's prior written consent in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
 4. The student's parents/guardians or the eligible student may obtain a copy of any records disclosed under this section.
 5. The district will not release information contained in a student's education record, except directory information, to any third party, except its own officials, unless the party agrees the information will not be re-disclosed without the parents'/guardians' or eligible student's prior written consent.

H. RECORDING REQUESTS FOR ACCESS TO OR DISCLOSURE FROM EDUCATION RECORDS

The district will maintain an accurate record of: a) all requests for disclosure of information from or requests for access to a student's education record; and b) the information disclosed and access permitted.

1. This record will include at least:
 - a. The name of the person who or agency which made the request.
 - b. The interest the person or agency had in the information.
 - c. The date the person or agency made the request.
 - d. Whether the request was granted or denied. If it was granted, the date access was permitted or the disclosure was made.
2. This record shall be a part of the education record of the student and will be maintained in the student's record file. The district will maintain this record as long as it maintains the student's education record.

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3. This record will be available only to the record custodian; the parents/guardians of the student, the eligible student, or to federal, state or local officials for the purpose of auditing or enforcing federally supported educational programs.
4. This record will not include requests from:
 - a. The parent or guardian;
 - b. School officials;
 - c. A party with written consent from the parent/guardian or eligible student.
 - d. A party seeking directory information; or
 - e. A party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and issuing court; or, in the event the other issuing agenda has ordered that the existence of contents of the subpoena or information furnished in response to the subpoena not be disclosed.

I. AMENDMENT OF EDUCATION RECORDS

Parents/guardians of students and eligible students have a right to seek to change any part of the student's education record they believe is inaccurate, misleading or in violation of the student's right of privacy or other rights.

1. The parent/guardian or eligible student shall request in writing to the appropriate administrator within ten (10) days from the date the records were examined that the contents of the record be changed. The administrator will respond within ten (10) school days from the receipt of the request.
2. If the administrator cannot resolve the issue within ten (10) school days, the administrator shall inform the parent/guardian or eligible student of their right, including representation by an advocate or attorney, to request a meeting with the superintendent. This meeting shall be held within fifteen (15) school days of the notification of the right to meet with the superintendent.
3. If the superintendent's decision is not satisfactory to the parents/guardians, the superintendent shall inform the parent/guardian or eligible student of their right to request a hearing before the school board.
 - 3.1 A request for such a hearing shall be made within fifteen (15) school days of the superintendent's decision. The parent/guardian or eligible student shall be given reasonable advance notice of the date, time and location of the board hearing.
 - 3.2 The school board shall issue its decision in writing within a reasonable period of time after the hearing.

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4. If, as a result of the board hearing, the challenged content is not removed or amended, the parent/guardian or eligible student has the right to place a statement in the file indicating objections to the specific material challenged. This statement will be attached to the contested part of the record as long as such record is maintained by the school district and shall be disclosed whenever the school district discloses the portion of the record to which the statement pertains.

J. DESTRUCTION OF SPECIAL EDUCATION RECORDS

Records for students in special education programs and/or receiving special education services will be maintained for one (1) year after termination of special education programs and/or services or following the student's graduation, except for the I.E.P. and psychological reports which will be maintained for five (5) years.

1. Parents/guardians or eligible students will be notified when information collected, maintained or used for Special Education is no longer needed to provide educational services.
 - 1.1 At the time of notification, the parents/guardians or eligible student may request that information be destroyed. This request must be submitted to the Director of Special Education. The procedures in I. Amendment of Education Records Will be Followed.
 - 1.2 Before destruction of any special education record, the director of special education will remind parents/guardians and eligible students that the information might be necessary in the future for social security or other benefits.
2. Directory information, attendance records, records of grades, transcripts, and other information regularly retained for all students will be retained by the school district in accordance with the general provisions of the Michigan School Code.

Regulations: June, 2013

IDENTIFICATION AND LOCATION OF STUDENT EDUCATION RECORDS

Type of Record (Listed Alphabetically)	School*	Record Location	Record Custodian	Length of Retention
Counselor Records	All	Counselor(s) Office	Principal	3 Years
Cumulative Records	E	Office of Principal	Principal	Graduation
	MS-HS	Guidance Office	Principal	Graduation
Disciplinary Reports	All	Office of Principal or Assistant Principal	Principal	Graduation
Official Membership Records	All	Administration Building	Business Office	3 Years
Permanent Record	All	Office of the Principal	Principal	99 Years
Pupil Accounting Membership Records (Copies of)	All	Administration Building	Business Office	3 Years
Special Education Records	E	Offices of Special Ed Director or Principal	Special Ed Director and Principal	5 Years
	MS-HS	Office of Special Ed Director or Guidance Office	Special Ed Director and Principal	5 Years
Special Education Registry	All	Ingham Intermediate School District	IISD Director of Special Ed.	5 Years
State Assessment Test	All	Office of the Principal	Principal	5 Years
Teacher Records	All	Classroom	Teacher	3 Years
Title I Records	All	Office of the Principal	Principal	5 Years
Transportation Records - Students	All	Transportation Office	Director of Transportation	3 Years
List of Names/Positions of all People Having Access to Disabled Student's Education Record	All	Director of Special Education and Office of the Principal	Director of Special Ed.	Updated Annually

*Record location in school building student is attending:

E = Elementary MS = Middle School HS = High School All = All grade levels

ANNUAL NOTICE OF RIGHTS UNDER FERPA

The Family Education Rights and Privacy Act (FERPA) afford parents/guardians and students over eighteen years of age (“eligible students”) certain rights with respect to the student’s education records. These rights include:

1. The right to inspect and review the student’s education record and to have the district respond to reasonable requests for explanations and interpretations of the records.

Parents/guardians or eligible students should submit to the appropriate administrator a written request that identifies as precisely as possible the record(s) they wish to inspect or review, or receive explanation or interpretation. The building administrator will make the necessary arrangements within 15 school days following receipt of the request. All records must be examined in the school district office during the business day in the presence of the appropriate administrator or designee.

2. The right to request the amendment of the student’s education record that the parent/guardian or eligible student believes are inaccurate, misleading or in violation of the student’s privacy or other rights.

The parent/guardian or eligible student should submit to the appropriate administrator a written request, clearly identifying the part of the record they want changed and specify why it is inaccurate or misleading, within 10 school days from the date the records were examined.

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

3. The right to consent to disclosure of personally identifiable information contained in the student’s education record, 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, director, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel; a person serving on the school board; a personal or agency with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent/guardian or student serving on an official committee, or assisting another school official in performing his or her tasks.

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

4. The right to designate “directory information” from the student’s education record which may be disclosed without prior written consent. It includes the student’s name, parents or guardian, address, telephone number, date of birth, class designation, dates of attendance, extra-curricular activities, achievement awards or honors, weight and height of members of athletic teams, photograph, newspaper, TV, videotape, school or school district previously attended and parent/guardian e-mail.
5. The right to file a complaint with the U.S. department of Education concerning an alleged failure by the district to comply with the requirements of FERPA. Such a complaint should be filed with the U.S. Department of Education at the following address:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue S.W.
Washington DC 20202-4605

A copy of the district’s student record policy and implementing regulations are available in each school building or from the office of the superintendent. For more information concerning this notice of the district’s policy, please contact the superintendent’s office at 517-706-5010.