

Lidgerwood Public School District # 28

FERPA and IDEA Record Keeping and Due Process Procedures

Student records are an essential part of the educational process. To serve this end, information about students which is required by law, necessary in accomplishing the educational goals of the school district, and important in promoting the welfare of the student is maintained by the school. The collection, maintenance, accessibility dissemination and retention of such information must be controlled by procedures designed to implement the primary task of the school while protecting individual rights of students and parents and preserving the confidential nature of various types of records that are maintained. To facilitate this process, the Superintendent shall implement procedures to comply with this policy, the Family Education Rights and Privacy Act, and the Individuals with Disabilities Education Act.

A cumulative record shall be kept on all students from grade K through 12 (and ages 18 – 21 as determined by the student's IEP team). This is a highly private record to be used only by the professional staff immediately concerned with the student's welfare. It shall also be made available to the student and his/her parents or guardians.

These student records may contain, but are not limited to: identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude and psychological tests; interest inventory results; health data, family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns.

Each principal shall be responsible for record maintenance and access within his or her building. All student records when not in use shall be kept under lock and key.

Parents, legal guardians and students of legal age (18 years or older) have the right to inspect and review the education records of the student. Requests to inspect and review shall be made to the building principal and the principal shall make an appointment within a reasonable time, (no more than 5 working days after the request has been made for students receiving special education services). The principal shall be present when the record is inspected and reviewed.

Parents, legal guardians or students of legal age (18 or older), may request amendment to educational records to ensure that the records are not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein.

Parents, legal guardians, or students of legal age shall have the right to file an appeal to have items removed from the student's folder or record. This appeal will be filed with the school principal. The principal shall set a time and place for a private hearing and notify the requester in writing of the time and place. The hearing shall be held within three weeks of the request. At the hearing, the principal shall have in attendance the person(s) who entered the information in question. The person who requested the hearing shall have the right to ask questions of those present and to present evidence that would correct inaccurate, misleading or otherwise inappropriate information. The principal shall then determine whether the information in question shall be removed from the record. If the information in question is not then removed from the record, the parent may place a statement in the record that shall be retained as long as the information in question is retained.

The school shall not permit access to or release of student records to any individual, agency or organization other than school officials within the school, officials of other schools or school systems in which the student has enrolled, or officials of the state juvenile justice system except with the written consent of the parent or guardian or the student if 18 years or older. Disciplinary action taken against a student may be disclosed when the misbehavior poses a significant risk to the student or others.

The district will maintain directory information that will include name, address, phone number, date of birth, place of birth, participation in officially recognized activities and sports, attendance records, awards received, previous