

FERPA

The **Family Educational Rights and Privacy Act (FERPA)** and the Illinois Student School Records Act (105 ILCS 10/3) afford parents/guardians and students over 18 years of age, certain rights with respect to the student's education records. Those rights are listed here.

A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction or by a school employee, regardless of how or where the information is stored, except for certain records kept in a staff member's sole possession; records maintained by law enforcement officers working in the school; video and other electronic recordings (including electronic recordings made on school busses) that are created in part for law enforcement, security, or safety reasons or purposes, though such electronic recordings may become a student record if the content is used for disciplinary or special education purposes regarding a particular student.

The Family Educational Rights and Privacy Act (FERPA) and the Illinois Student Records Act afford parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's school records. They are:

1. The right to inspect and copy the student's education records within 10 business days of the day the District receives a request for access.

The degree of access a student has to his or her records depends on the student's age. Students less than 18 years of age have the right to inspect and copy only their permanent record. Students 18 years of age or older have access and copy rights to both permanent and temporary records. A parent/guardian or student should submit to the building principal a written request that identifies the record(s) he or she wishes to inspect. Within 10 business days, the building principal will make arrangements for access and notify the parent/guardian or student of the time and place where the records may be inspected. In certain circumstances, the District may request an additional 5 business days in which to grant access. The District charges \$.35 per page for copying but no one will be denied their right to copies of their records for inability to pay this cost. These rights are denied to any person against whom an order of protection has been entered concerning the student.

2. The right to have one or more scores received on college entrance examinations included on the student's academic transcript.¹

Parents/guardians or eligible students may have one or more scores on college entrance examinations included on the student's academic transcript. The District will include scores on college entrance examinations upon the written request of the parent/guardian or eligible student stating the name of each college entrance examination that is the subject of the request and the dates of the scores that are to be included.

3. The right to request the amendment of the student's education records that the parent/ guardian or eligible student believes are inaccurate, irrelevant, or improper.

A parent/guardian or eligible student may ask the District to amend a record that is believed to be inaccurate, irrelevant, or improper. Requests should be sent to the building principal and should clearly identify the record the parent/guardian or eligible student wants changed and the specific reason a change is being sought. If the District decides not to amend the record, the District will notify the parent/guardian or eligible student of the decision and advise him or her of their right to a hearing regarding the 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.

4. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that the FERPA or Illinois School Student Records Act authorizes disclosure without consent.

Disclosure without consent is permitted to school officials with legitimate educational or administrative 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 school official may also include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records (such as an attorney, auditor, medical consultant, therapist, or educational technology vendor); or any parent/guardian 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 or contractual obligation with the district. Upon request, the District discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law. Before information is released to these individuals, the parents/guardians or eligible student will receive prior written notice of the nature and substance of the information, and an opportunity to inspect, copy, and challenge such records.

Academic grades and references to expulsions or out-of-school suspensions cannot be challenged at the time a student's records are being forwarded to another school to which the student is transferring.

Disclosure is also permitted without consent to: any person for research, statistical reporting or planning, provided that no student or parent/guardian can be identified; to another school district that overlaps attendance boundaries with the District, if the District has entered into an intergovernmental agreement that allows for sharing of student records and information with the other district, any person named in a court order; appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; and juvenile authorities when necessary for the discharge of their official duties who request information before adjudication of the student.

5. The right to a copy of any school student record proposed to be destroyed or deleted.

The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. The temporary record is maintained for at least 5 years after the student transfers, graduates, or permanently withdraws. Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may,

after 5 years, be transferred to the parent/guardian or to the student, if the student has succeeded to the rights of the parent/guardian. Student temporary records are reviewed every 4 years or upon a student's change in attendance centers, whichever occurs first.

6. **The right to prohibit the release of directory information.**

Throughout the school year, the District may release directory information regarding students, limited to:

- Name
 - Address
 - Grade level
 - Birth date and place
 - Parent/guardian names, addresses, electronic mail addresses, and telephone numbers
 - Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
 - Academic awards, degrees, and honors
 - Information in relation to school-sponsored activities, organizations, and athletics
 - Major field of study
 - Period of attendance in school
- Any parent/guardian or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building principal within 30 days of the date of this notice.

7. **The right to request that military recruiters or institutions of higher learning not be granted access to your student's information without your prior written consent.**²

Federal law requires a secondary school to grant military recruiters and institutions of higher learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the student's parent/guardian, or student who is 18 years of age or older, submits a written request that the information not be released without the prior written consent of the parent/guardian or eligible student. If you wish to exercise this option, notify the building principal.

8. **The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under State law.**

9. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.**

Parents and students have the right to inspect and copy records that are in the custody of the school. Fees per transcript will not exceed \$5.00. Students out of school one year or less will not be charged the transcript fee. Those unable to pay will not be denied copies.

Emergency release of information:

Information may be released without parental consent in connection with an emergency to appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons. Parents will be notified as soon as possible of the information released, date of release, the person, agency, or organization receiving the information, and the purpose of the release.

The right to prohibit the release of directory information.

Throughout the school year, the District may release directory information regarding students, limited to: name, address, gender, grade level, birth date and place, parent/guardian names, addresses, electronic mail addresses, and telephone numbers, photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs; academic awards, degrees, and honors, information in relation to school-sponsored activities, organizations, and athletics, major field of study, period of attendance in school.

Any parent/guardian or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the building principal within 30 days of the date of this notice.

1. The records of a student will be transferred to another school in which the student has enrolled or intends to enroll upon the requisition of the records custodian of the other school or the student, provided that the parents receive prior written notice. This gives the parents the opportunity to inspect, copy, and challenge such records. If the parents' address is unknown, such notice must be made to requesting school. If no objection is made within ten (10) days, records will be transferred.
2. The school will grant access to information in school student records to persons authorized or required by State or Federal law to gain such access upon proper identification and a copy of the statute authorizing such access. The parent will receive prior written notice. If more than 25 students are involved, local newspaper notice will be given.
3. The school will grant access to, or release information from, student records without parental consent or notification: to an employee or official of the school district or State Board of Education, provided they have a current demonstrable educational or administrative interest in the student and the records are in furtherance of such interest; to any person for the purpose of research, statistical reporting, or planning, provided that: (a) such person has the permission of the State Superintendent of Education; and (b) no student or parent can be identified from the information released; pursuant to a court order, provided that the procedures outlined in Illinois Rev. Stats. 1975, CH 122, Article 50-6 (a), (5) are observed.
4. Any release of information other than specified above, requires the prior, specific, dated, written consent of the parent.

Directory Information:

Class lists may be released to colleges, branches of the military and other organizations concerned with the future educational or career development of students. Limited to: name, address, telephone number, grade level, birth date and place, and parents' names and addresses; academic awards, degrees, and honors; information in relation to school sponsored activities, organization, and athletics; major field of study; and

period of attendance in the school. This may be released to the general public, unless a parent requests otherwise. (Board Policy 7:15)
The right to request that military recruiters or institutions of higher learning not be granted access to your student's information without your prior written consent.¹

Federal law requires a secondary school to grant military recruiters and institutions of higher learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the parent/guardian, or student who is 18 years of age or older, request that the information not be disclosed without prior written consent. If you wish to exercise this option, notify the building principal.

The right contained in this statement: No person may condition the granting or withholding of any right, privilege or benefits or make as a condition of employment, credit, or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under State law.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC 20202-4605

Destruction of Temporary Student Record Information:

Calhoun Community School District #40 annually reviews all student records. The school district keeps student information such as courses taken, grades, GPA, and date of graduation for not less than 60 years. Other information such as disciplinary actions, test scores (EXPLORE, PLAN, ACT, etc.), and IEP information is retained for five years after the students graduate high school or the student has left the district. By signing this handbook, parents of students are hereby notified that if you wish to request a copy of any "temporary" information before it is destroyed, you must make a request to the records custodian at the District Office at 618-576-2722. This request must be made by July 1st, before the 5th year after the graduation of a student from high school or a student has left the school district.