

ANCHORAGE SCHOOL DISTRICT  
ANCHORAGE, ALASKA

ASD MEMORANDUM #343 (2008-2009)

June 22, 2009

TO: SCHOOL BOARD

FROM: OFFICE OF THE SUPERINTENDENT

SUBJECT: SCHOOL BOARD POLICY REVISION: SECTIONS 343.3, 343.31,  
343.32, 343.33, 343.36, 343.38, AND 343.39, STUDENT  
RECORDS (SECOND READING)

ASD Goal: *Ensure public accountability through effective communication with students, staff, parents, community and government at all levels.*

RECOMMENDATION:

It is the Policy Committee's recommendation that the Anchorage School Board approve on Second Reading revisions to School Board Policies 343.3, 343.31, 343.32, 343.33, 343.36, 343.38, and 343.39 related to student records as shown on Attachment C.

PERTINENT FACTS:

Passage of new federal regulations on the Family Educational Rights and Privacy Act (FERPA) prompted a review of the School Board Policy section on student records. Among other changes, the new FERPA regulations attempt to respond to additional needs of school districts and families in an ever-changing electronic age. In addition to making the revisions required by the new federal regulations, the committee made numerous language changes to clarify existing policy and also restructured several policies to avoid unnecessary repetition and improve the flow of information. Due to the number of changes and the moves of entire sections, the existing version of these policies is shown on Attachment B for ease of reference.

These proposed changes were passed unanimously on First Reading by the Board at their May 28, 2009 meeting. As per Board Policy, that version is included as Attachment A.

*Section 343.3*

In the original policy, the section on definitions was buried in a sub-section 343.34 (l). By moving the definitions to the front of the policy, they now apply to all subsections.

In terms of revisions to the definitions themselves, there are revisions to “eligible student” adding “emancipated minor;” the definition of parent is expanded to include adoptive, foster, and surrogate parents and is bulleted out for clarity; and the status of a financially dependent student over 18 is clarified elsewhere 343.34.(b).

To the education records section there are clarifying language changes and the addition of number six to the list of exceptions to things considered educational records.

*Section 343.31*

The title of the section has been changed for clarity, and there are slight language revisions in (e).

*Section 343.32*

Language changes allow for the policy to be flexible enough to accommodate future changes in law or regulation.

*Section 343.33*

The classification of records section has been significantly reorganized to bring it in line with the Alaska Model Records Retention Manual referenced in the policy on Records Management recently adopted by the Board.

*Section 343.36*

This entire section is redundant (see section 343.34(i)) and is proposed for elimination.

*Section 343.38*

This section is substantially re-written and reorganized.

*Section 343.39*

There is an address change in this section.

During Second Reading June 8, 2009, the Board passed policy 343.34 unanimously but referred the rest of the policies back to the Policy Committee

for consideration of changes suggested by Mr. Steiner. Consequently, section 343.34 has been removed from Attachment C.

At its June 15, 2009 meeting, the Policy Committee discussed each of Mr. Steiner's suggested changes. All were adopted as suggested by Mr. Steiner with one minor change. The term "reinstatements" was added to the list of items in 343.33(b)(11), but the suggested addition of "restrictions" was rejected by the committee as too cumbersome. The changes are reflected in Attachment C and are both in bold and highlighted in grayscale.

Attachments

CC/RG/JF

Prepared by: Jeff Friedman, Policy Committee Chair  
Rhonda Gardner, Assistant Superintendent, Instruction

Approved by: Rhonda Gardner, Assistant Superintendent, Instruction

## ASD STUDENT RECORDS POLICIES

### RECOMMENDATIONS BASED ON FERPA AMENDMENTS

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#### 343.3 Student Records

The following definitions apply to sections 343.31-343.39 related to student records: (a) Student: any person who attends or has attended a school in the Anchorage School District and for whom the District maintains education records.

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(b) Eligible Student: a student or former student who has reached age 18, is an emancipated minor, or is attending a post secondary school.

(c) Parent:

(1) a natural parent,

(2) an adoptive parent,

(3) foster parent,

(4) legal guardian,

(5) an individual acting as a parent in the absence of a parent or guardian, or

(6) in the case of a student receiving special education, a person acting as the parent of a child or a surrogate parent appointed in accordance with state regulations.

(d) Education Records: any record (in handwriting, print, tapes, file, or other medium) maintained by the Anchorage School District or an agent of the District which is directly related to a student, except:

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(1) A personal record kept by a staff member or professional consultant if it is kept in the sole possession of the maker of the record, is used only as a personal memory aid, and is not accessible or revealed to other persons except a temporary substitute for the maker of the record;

(2) Records of the Anchorage School District's law enforcement unit;

(3) An employment record made and maintained in the normal course of business that relates exclusively to an individual in his or her capacity as an employee of the Anchorage School District. However, records relating to a student who is employed as a result of his or her student status are education records;

(4) Records created or received by the District after the student is no longer in attendance and which do not relate to the individual's attendance as a student.

(5) Medical or psychological records of a past or present student 18 or over which are made, maintained, or used only in connection with treatment of the student and which are provided only to an individual administering treatment.

(6) Grades on peer-graded papers before they are collected and recorded by a teacher.

### **343.31 Obligation to Maintain Records**

Schools are obligated to maintain records on each student to:

- a. provide basic identifying data including family background information;
- b. provide a record of achievement in school;
- c. provide information required by rules and regulations including attendance data, scores on standardized, criterion-referenced, intelligence, aptitude and psychological tests;
- d. supply information about students that may be needed in placing the student in productive employment and/or post high school educational pursuits; and
- e. provide a record of disciplinary problems or behavior patterns which have required corrective or punitive action (such as suspension or expulsion).

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### **343.32 Storage - Location of Records**

Student records shall remain in the custody of the school administrator of a particular unit or his/her authorized personnel within the confines of the administrative area of the building, until released to another school or to the student records department of the District.

Such records shall be maintained and disposed of according to the requirements of federal and state laws and regulations.

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√(Section 343.32 - Revised June 22, 1998)

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**343.33 Classifications of Records** a. A student's Permanent Record constitutes the final information about that student and represents the culmination of the student's record while attending school and contains the following:

- 1. annual accounting
  - A. name
  - B. address
  - C. student ID number
  - D. date of birth
  - E. courses taken
  - F. grades/credits earned
  - G. aggregate attendance

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2. final accounting

A. name of last school attended

B. graduation data

C. exit information

b. A student's Cumulative Record is the ongoing record of their time in school, including previous school districts as the records are available. Items in the cumulative record reflected in section (a) above will become the permanent record. The cumulative record contains the following:

1. name, address, phone number, and sex

2. student ID number

3. date of birth

4. courses taken

5. grades earned and an explanation of the grading system

6. units of credit earned

7. attendance record

8. scores on standardized tests

9. records of required immunizations, physical examinations, and other health-related matters required by state law or district policy

10. out-of-school suspensions and expulsions

**343.34 Accessibility of Records**

The Anchorage School District shall maintain the confidentiality and privacy of all student records which contain personally identifiable information about the student or family in accordance with state and federal laws.

- a. The student's record shall be available, without consent, to school officials with a legitimate educational interest in having access to the records. The unit administrator for each school shall be responsible for using reasonable physical, technological, or procedural controls to assure that school personnel obtain access to only those student records in which they have a legitimate educational interest.

(1) A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff); a person serving on the School Board; law enforcement unit personnel as defined by federal law related to educational records; a person or

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b) date of birth¶  
c) subjects taken¶  
d) attendance¶  
e) entry and withdrawal dates¶  
f) standardized and criterion-referenced tests scores¶  
g) student number¶  
h) units of credits earned¶  
i) graduates - grade point average and decile rank in class¶  
j) graduates - total units¶  
k) units required to graduate¶  
l) graduation certification by principal¶  
m) graduation date¶  
n) Elementary Permanent Record Card¶  
o) materials included in the cumulative reading and math record (the elementary cumulative folder)¶  
p) last quarter progress report for each year (for special education and ungraded students)¶  
q) audiological reports (most current only)¶  
r) speech pathology reports, if any¶  
s) Cumulative Health Card¶

**Deleted:** t) signed release authorizing transmittal for copies of student's records ¶

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(1) Co-curricular and curricular activities and awards. ¶  
(2) Pertinent information from all record sources (but only with specific approval of the unit administrator). ¶  
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company with whom the District has contracted to perform a special task (such as attorney, auditor, medical consultant, or therapist); or a contractor, consultant, or other outside party to whom the District has outsourced services or functions that it would otherwise use employees to perform, provided that the outside party is under the direct control of the District with respect to use and maintenance of education records and subject to the same conditions governing use and disclosure of those records.

(2) 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 to the district.

FERPA 20 U.S.C. § 1232g; 34 CFR Part 99

b. The student's records shall be available to the parent or eligible student for inspection and copying upon request. An "eligible student" means a student who is age 18 or older, is an emancipated minor, or is attending a post-secondary school or program. The District shall provide a list of records maintained for students and the location of records maintained by the District upon request. Parents or eligible students shall submit requests for records to the principal. If the student is an eligible student, the District may continue to disclose records to the parent, and without the student's consent, if: 1) the student is a dependent of either parent for federal income tax purposes; or 2) in connection with a health or safety emergency.

For the purposes of this section, the term "parent" means a natural parent, an adoptive parent, foster parent, legal guardian, or an individual acting as a parent in the absence of a parent or guardian, or in the case of a student receiving special education, a person acting as the parent of a child or a surrogate parent appointed in accordance with state regulations. Either or both parents have access to a student's records, even if a separation or divorce has occurred, unless:

(1) Parental rights of a parent have been legally terminated through adoption or other legal process; or

(2) A decree of divorce, separation, dependency, or other court order specifically prohibits parental access to school information or records; and

(3) Documentary proof of the circumstances described in (1) or (2) has been filed with the District.

A parent's right of access to his or her student's records does not apply to the child's address if the Superintendent or designee determines that release of the address poses a threat to the health or safety of the child.

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c. All requests by other than the parent/eligible student for release of records containing personally identifiable information must have prior written consent of the parent/guardian or eligible student. The written consent to release any personally identifiable material must specify the records to be disclosed, and the parties to whom disclosure is authorized.

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d. Requests for inspection and/or copies of student records must be in writing, submitted to the Superintendent, Principal or designee.

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(1) Exception 1. - The parent/guardian if the student is under 18 years of age may request copies via telephone or in person. Where telephone requests are made under this or the following section, the District employee in charge of records shall take necessary steps to verify the identity of the caller. If any reasonable doubt exists as to the correct identity of the caller, the District personnel shall require either personal appearance or written release before releasing the requested records. Those copies may be mailed directly to the parent/ guardian or to such other individual or institution as the parent/guardian may designate.

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(2) Exception 2. - An eligible student, may request copies of his/her records via telephone or in person. Those copies may be mailed or given directly to the student or to such other individual or institution as the student may designate.

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(3) Exception 3. - Copies of the student's records may be released in compliance with the terms of a court order or lawfully issued subpoena. However, in such situations, the District shall make reasonable efforts to notify the parent, guardian, or student (whichever applies) in advance of its compliance so that the parents or eligible student may seek protective action. Prior notice will not be given in cases where the District receives a federal grand jury subpoena or order where the court has ordered that the existence or contents of the subpoena or order not be disclosed. In addition, prior notice will not be given if a court or other agency issues a subpoena for a law enforcement purpose and orders the school not to disclose the existence or contents of the subpoena.

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e. Information from students' permanent academic records may be released to government agencies for general data collection purposes provided no individual student is identified.

f. The District shall include in a student's education records, information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. The District may disclose this information to teachers and school officials of this District or other districts, if those individuals have a legitimate educational interest in the behavior of the student.

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g. Health or Safety Emergency Exception:

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(1) Personally identifiable information from a student's record may be released to appropriate parties, including parents of an eligible student, in emergency situations where knowledge of the information is necessary to protect the health or safety of the student or other individuals. The District will take into account the totality of the circumstances, based on the information available at the time, to determine if there is an articulable and significant threat to the health or safety of a student or others.

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(2) In these situations, the District will maintain in the "record access" log for the student: 1) the identity of the individual(s) requesting or receiving the information; and 2) a description of the articulable and significant threat to the health or safety of the student or others.

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(3) When a report is made to law enforcement that a student has committed a crime, the District will transmit copies of any special education and disciplinary records for consideration by the appropriate authorities, to the extent permitted under subsection (1) above.

Deleted: student or parent or guardian (whichever applies) shall be notified of the information released and the reason for its release.

h. Directory information includes information contained in the education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may be released after prior annual notification unless a parent/student objects to the release of directory information. The District shall provide annual notification by September 15<sup>th</sup> of each school year. This information will be annually distributed in District publications, such as: school newsletters, school handbooks, etc. Directory information does not include a student's social security number or student identification number.

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(1) The following categories of information have been designated as directory information: student's name, address, phone number, e-mail address, year of birth, enrollment, dates of attendance, grade level, degrees, awards or honors received, scholarship eligibility, date of graduation, name of secondary school most recently attended, participation in officially recognized activities and sports, and height and weight of members of interscholastic athletic teams.

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(2) Requests for directory information from authorized representatives of governmental agencies, elected officials, the police, social service and educational agencies, private businesses, individuals or other organizations which facilitate service to students will be considered and approved at the central office administration's discretion. Directory information may be released without the prior written consent from the parent/guardian, or eligible student, unless the District is annually notified in writing, each school year or upon enrollment. Notification of this policy will occur on an annual basis at the beginning of each school year or upon enrollment.

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i. Requests to change or modify records. Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

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(1) Parents or the eligible student must submit a written request to the principal to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.

(2) The Anchorage School District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.

(3) Upon request, the Anchorage School District will arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing.

(4) The hearing will be conducted within a reasonable time by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.

(5) The Anchorage School District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

(6) If the Anchorage School District decides that the challenged information is not inaccurate, misleading or in violation of the student's rights of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the Anchorage School District discloses the contested portion of the record, it must also disclose the statement.

(8) If the Anchorage School District decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student, in writing, that the record has been amended.

j. Disclosure without prior consent.

~~(1)~~ The following may have restricted access to student records without the prior consent by the parent or eligible student:

~~(A)~~ The School Board as an official body when acting in its official capacity with regard to matters pertaining to an individual student.

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(B) Staff of the District having a legitimate educational interest and need to know  
by virtue of being appropriately involved in carrying out assigned responsibilities  
for the administration or provision of educational programming or services and/or  
for the generation and maintenance of student records.

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(C) State/federal officials and others only as prescribed by state and federal law  
and regulations.

(D) Organizations conducting studies for, or on behalf of, educational agencies or  
institutions for the purpose of developing, validating, or administering predictive  
tests; administering student aid programs; and improving instruction. Information  
may not be disclosed under this subsection unless the District has entered into a  
written agreement with the organization:

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i. specifying the purpose, scope, and duration of the study and the  
information to be disclosed;

ii. restricting the use of personally identifiable information only to  
purposes of the study as defined in the agreement;

iii. assuring that the studies are conducted in a manner which will not  
permit the personal identification of students and their parents by  
individuals other than representatives of the organization that have  
legitimate interests in the information; and

iv. providing that the information will be destroyed or returned to the  
District when no longer needed for the study, and specifying the time  
period for destruction or return. Nothing in this section requires the  
District to initiate a study, or agree with or endorse the conclusions or  
results of the study.

(E) Accrediting organizations in order to carry out their accrediting functions.

(F) In limited circumstances, organizations in connection with financial aid the  
student has received or for which the student has applied.

(2) Before releasing records to another school system, the District will release information  
to schools in which the student has or intends to enroll only with the written consent of the  
parent or eligible student, unless:

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A) the records transfer was requested by the parent;

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~~B) the annual notification states that the District forwards education records to other schools that have requested the records and where the student attends or is seeking to enroll; or~~

~~C) the records have been designated as those of a missing child, in which case the District will immediately notify the Department of Public Safety. The District shall not forward the records unless advised by the Department to do so.~~

~~3) If the District initiates legal action against a student or parent, or a student or parent initiates legal action against the District, the District may disclose to the court, without court order or subpoena, the educational records of the student that are relevant to the proceeding. (4) If the District utilizes a procedure of records transfer without notice or consent, it must give the parent or eligible student a copy of the records that were disclosed, if the parent or eligible student so requests.~~

k. Pre-School Children. Pre-school children who are applicants for enrollment, but not currently enrolled, are not considered students or covered under this policy. Information about these children is covered under Policy 332.3, Lottery Procedures.

~~(Section 343.34 - Revised September 11, 1995)  
(Section 343.34 - Revised June 22, 1998)  
(Section 343.34 - Revised October 24, 2005)  
(Section 343.34 - Revised December 11, 2006)~~

**343.35 Psychological Evaluation**

Parental consent, or consent of the student if over 18 years of age, is required prior to conducting a psychological evaluation. Psychological records will be treated like other student records.

**REDUNDANT WITH INFO ABOVE 343.37 Legal Names of Students**

The legal names of students are required on all "official" documents, including transcripts, Federal Impact Survey Cards, etc.

This does not preclude recognition of the wishes of parents, guardians and/or students to utilize appropriate aliases or nicknames at public gatherings, in general publication media (e.g., graduation ceremony, new publication, etc.) and on high school diploma.

**343.38 Annual Notification**

~~a. The Superintendent shall notify parents and eligible students of the rights accorded them under this policy. Annually, the Superintendent shall provide to parents and eligible students a notice which informs them of their rights:~~

- ~~1. to inspect and review their student's education records, and the procedures for doing so;~~
- ~~2. to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights, and the procedures for doing so;~~

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~~3. to consent to disclosure of personally identifiable information except where law authorizes disclosure without consent; and~~

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~~4. to file a complaint in accordance with 34 CFR Section 99.63 and 99.64.~~

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~~b. The annual notice shall explain the policy of disclosing student records without consent to school officials with a legitimate educational interest, shall identify those school officials, and describe what constitutes a legitimate educational interest.~~

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~~c. The annual notice will also explain that the District forwards records to other school districts or institutions that have requested the records and where the student attends or is seeking to enroll.~~

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~~d. The annual notice will include information concerning the University of Alaska scholarship programs and the District's obligations under state law to provide the names of students who are eligible for these programs.~~

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~~e. The annual notice will provide the name and address of the official responsible for the records and the current fee for requested copies of records. f. In addition, the District will maintain for public inspection a list of the names and positions of those employees who routinely have access to student records specifically collected or maintained in conjunction with the provision of services to exceptional children with disabilities.~~

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~~g. Upon request, the District shall provide a parent of a student receiving special education or related services as an exceptional child a list of the type and location of records collected, maintained and used by the District in conjunction with the provision of such services.~~

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(Section 343.38 - Revised June 22, 1998)

### 343.39 Complaint Procedure

- a. A parent or eligible student may file a written complaint with the national Family Policy Compliance Office regarding an alleged violation of federal laws governing the administration of student records. These laws include the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232 g, and its regulations found at 34 CFR Part 99. A complaint must be filed within 180 days of the date of the alleged violation or of the date the parent or eligible student knew or reasonably should have known of the alleged violation. Complaints should be filed with:

Family Policy Compliance Office  
[U.S. Department of Education](#)  
 Washington D. C. 20202-3887

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(Section 343.39 – Approved June 22, 1998)

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Temporary/Supplementary

(1) Co-curricular and curricular activities and awards.

(2) Pertinent information from all record sources (but only with specific approval of the unit administrator).

This file should be systematically reviewed and items discarded as soon as they have out-lived their usefulness.

All persons, agencies, or organizations desiring access to the records of a student shall be required to sign a written form which shall be kept permanently with the file of the student indicating specifically the information sought, the legitimate educational or other interest that each person, agency or organization has in seeking this information. This form must be approved in writing by the student or his/her parent/guardian for students under 18 years of age, before any material may be released to the requesting person, agency or organization. Such persons, agencies, or organizations must also agree not to permit any other party to have access to such information without written consent of the parents or the student (if 18 or over).

Whenever a student has attained 18 years of age, (or is attending an institution of post-secondary education) the permission or consent required of and rights accorded to the parents or guardians of the student shall thereafter only be required of and accorded to the student. However, as long as a student enrolled in the District is financially dependent on the parent/ guardian, the parent/guardian shall retain the right of access to the student's file without the requirement of consent of the student. A financially dependent student is one who receives over half of his/her support from the parent/ guardian. All students enrolled in the District shall be presumed financially dependent upon the parent/guardian unless the student submits documentation which establishes that the student is not financially dependent.

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(4) State/federal officials and others only as prescribed by state and federal law and regulations.

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and 4) providing that the information will be destroyed or returned to the District when no longer needed for

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(5) The parent of an 18 year old who is financially dependent has the right of access to the student's records.

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) Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests; administering student aid programs; and improving instruction. Information may not be disclosed under this subsection unless the District has entered into a written agreement with the organization: 1) specifying the purpose, scope, and duration of the study and the information to be disclosed; 2) restricting the use of personally identifiable information only to purposes of the study as defined in the agreement; 3) assuring that

the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization that have legitimate interests in the information;

the study, and specifying the time period for destruction or return.

Nothing in this section requires the District to initiate a study, or agree with or endorse the conclusions or results of the study.

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) Accrediting organizations in order to carry out their accrediting functions.

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) In limited circumstances in connection with financial aid for which the student has applied or has received.

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) If the District initiates legal action against a student or parent, the District may disclose relevant student records to the court after making a reasonable effort to notify the parent/eligible student in advance of providing the records.

Definitions: The following definitions apply to this policy.

(1) Student: any person who attends or has attended a school in the Anchorage School District and for whom the District maintains education records.

(2) Eligible Student: a student or former student who has reached age 18, is an emancipated minor,

or is attending a post secondary school.

(3) Parent:

either natural parent of a student, a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian. A parent with a financially dependent student 18 or over has right of access to the student's records. A financially dependent student is one who receives over half of his/her financial support from his/her parents. ([Section 152 of IRS Code of 1954.](#))

(4) Education Records: any record (in handwriting, print, tapes, file, or other medium) maintained by the Anchorage School District or an agent of the District which is directly related to a student, except:

a) A personal record kept by a staff member or professional consultant if it is kept in the sole possession of the maker of the record, is used only as a personal memory aid, and is not accessible or revealed to other persons except a temporary substitute for the maker of the record;

b) Records of

created and maintained by

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the Anchorage School District's

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c) An employment record made and maintained in the normal course of business that relates exclusively to an individual in his or her capacity as an employee

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which is used only in relation to a student's employment by

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of the Anchorage School District. However, records relating to a student who is employed as a result of his or her student status are education records;

d) Records created or received by the District after the

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Alumni records which contain information about a

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is no longer in attendance

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and which do not relate to the individual's attendance

as a student.

e) Medical or psychological records of a past or present student 18 or over which are made, maintained, or used only in connection with treatment of the student and which are provided only to an individual administering treatment.

f) Grades on peer-graded papers before they are collected and recorded by a teacher.

### **343.36 Requests to Amend Records and Rights to Hearing**

Requests to change or modify records. Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

(1) Parents or the eligible student must submit a written request to the principal to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.

(2) The Anchorage School District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.

(3) Upon request, the Anchorage School District will arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing.

(4) The hearing will be conducted within a reasonable time by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.

(5) The Anchorage School District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

(6) If the Anchorage School District decides that the challenged information is not inaccurate, misleading or in violation of the student's rights of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the Anchorage School District discloses the contested portion of the record, it must also disclose the statement.

(8) If the Anchorage School District decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student, in writing, that the record has been amended.

(Section 343.36 - Revised June 22, 1998)

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The District will annually notify parents and students of the rights accorded to them under this policy. In meeting the requirement set forth in this section, the District shall provide to parents and eligible students a copy of this policy annually. Accompanying a copy of the policy shall be a letter which informs them of their rights to inspect and review the student's education records; to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights; to consent to disclosure of personally identifiable information except when disclosure is authorized without consent pursuant to law; and to file a complaint in accordance with 34 CFR 99.63 and 99.64. Notification of this policy on student records shall be made known to all students, parents, and guardians, by placement in the Board Policy Manual, posting in all schools, inclusion in the student handbook, and such other means as may be appropriate.

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### **343.3 Student Records**

Unit Principals are required to maintain a cumulative record for each student.

#### **343.31 Need for Records**

Schools are obligated to maintain records on each student to:

- a. provide basic identifying data including family background information;
- b. provide a record of achievement in school;
- c. provide information required by rules and regulations including attendance data, scores on standardized, criterion-referenced, intelligence, aptitude and psychological tests;
- d. supply information about students that may be needed in placing the student in productive employment and/or post high school educational pursuits; and
- e. provide a record of serious disciplinary problems or recurrent behavior patterns which have required corrective or punitive action (such as suspension or expulsion).

#### **343.32 Storage - Location of Records**

Student records shall remain in the custody of the school administrator of a particular unit or his/her authorized personnel within the confines of the administrative area of the building, until released to another school or to the student records department of the District.

Such records shall be kept in a fireproof vault, safe, or in a securable metal filing cabinet.

(Section 343.32 - Revised June 22, 1998)

#### **343.33 Classifications of Records**

- a. Permanent Academic
  - (1) Transcript - Includes the following information:
    - a) name, address, phone number, and sex
    - b) date of birth
    - c) subjects taken
    - d) attendance
    - e) entry and withdrawal dates
    - f) standardized and criterion-referenced tests scores
    - g) student number

- h) units of credits earned
- i) graduates - grade point average and decile rank in class
- j) graduates - total units
- k) units required to graduate
- l) graduation certification by principal
- m) graduation date
- n) Elementary Permanent Record Card
- o) materials included in the cumulative reading and math record (the elementary cumulative folder)
- p) last quarter progress report for each year (for special education and ungraded students)
- q) audiological reports (most current only)
- r) speech pathology reports, if any
- s) Cumulative Health Card
- t) signed release authorizing transmittal for copies of student's records

b. Temporary/Supplementary

(1) Co-curricular and curricular activities and awards.

(2) Pertinent information from all record sources (but only with specific approval of the unit administrator).

This file should be systematically reviewed and items discarded as soon as they have out-lived their usefulness.

**343.34 Accessibility of Records**

The Anchorage School District shall maintain the confidentiality and privacy of all student records which contain personally identifiable information about the student or family in accordance with state and federal laws.

- a. The student's record shall be available, without consent, to school officials with a legitimate educational interest in having access to the records. The unit administrator for each school

shall be responsible for assuring that no student records in that school are made available to school personnel who do not have a legitimate educational interest.

(1) A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff); a person serving on the School Board; law enforcement unit personnel as defined by federal law related to educational records; or a person or company with whom the District has contracted to perform a special task (such as attorney, auditor, medical consultant, or therapist).

(2) 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 to the district.

FERPA 20 U.S.C. § 1232g; 34 CFR Part 99

- b. The student's records shall be available to the student for inspection and copying upon request. The District shall provide a list of records maintained for students and the location of records maintained by the District upon request. Parents or students shall submit written requests for records to the principal. Students may review the records while qualified school personnel are present. If the student is 18 or over but financially dependent on the parent/guardian, then the parent/ guardian will be afforded the same right of access. For the purposes of this section, the term "parent" means either or both parents of the student, even if a divorce or other separation has occurred, unless:

(1) Parental rights of either parents have been legally terminated through adoption or other legal process;

(2) A decree of divorce, separation, dependency, or the like specifically prohibits the access of either parent to the student or matter pertaining to the student;

(3) Documentary proof of the circumstances described in (1) or (2) has been filed with the District.

- c. All requests by other than the parent/student for release of records containing personally identifiable information or copies of former student's records must have prior written consent of the parent/guardian if the former student is under 18 years of age or prior written consent from the former student if the former student is 18 or over or is attending an institution of post secondary education. The written consent to release any personally identifiable material must specify the records disclosed, the purpose for disclosure, and the parties to whom disclosure is made.

(1) Exception 1. - The parent/guardian if the student is under 18 years of age may request copies via telephone or in person. Where telephone requests are made under this or the following section, the District employee in charge of records shall take necessary steps to verify that the caller is properly identified. If any reasonable doubt exists as to the correct identity of the caller, the District personnel shall require either personal appearance or written release before releasing the requested records. Those copies may be mailed directly to the parent/ guardian or to such other individual or institution as the parent/guardian may designate.

(2) Exception 2. - The student, if he/she has attained 18 years of age (or is attending post secondary education), may request copies of his/her records via telephone or in person. Those copies may be mailed or given directly to the student or to such other individual or institution as the student may designate.

(3) Exception 3. - Copies of the student's records may be released upon receipt of an order for production of such records from an Alaskan or federal court of competent jurisdiction. However, in such situations, the District shall make reasonable efforts to notify the parent, guardian, or student (whichever applies) in advance of its compliance so that the parents or eligible student may seek protective action. However, prior notice will not be given in cases where the District receives a federal grand jury subpoena and the court has ordered that the existence or contents of the subpoena not be disclosed. In addition, prior notice will not be given if a court or other agency issues a subpoena for a law enforcement purpose and orders the school not to disclose the existence or contents of the subpoena.

- d. Information from students' permanent academic records may be released to government agencies for general data collection purposes provided no individual student is identified.
- e. All persons, agencies, or organizations desiring access to the records of a student shall be required to sign a written form which shall be kept permanently with the file of the student indicating specifically the information sought, the legitimate educational or other interest that each person, agency or organization has in seeking this information. This form must be approved in writing by the student or his/her parent/guardian for students under 18 years of age, before any material may be released to the requesting person, agency or organization. Such persons, agencies, or organizations must also agree not to permit any other party to have access to such information without written consent of the parents or the student (if 18 or over).
- f. Whenever a student has attained 18 years of age, (or is attending an institution of post-secondary education) the permission or consent required of and rights accorded to the parents or guardians of the student shall thereafter only be required of and accorded to the student. However, as long as a student enrolled in the District is financially dependent on the parent/ guardian, the parent/guardian shall retain the right of access to the student's file without the requirement of consent of the student. A financially dependent student is one who receives over half of his/her support from the parent/ guardian. All students

enrolled in the District shall be presumed financially dependent upon the parent/guardian unless the student submits documentation which establishes that the student is not financially dependent.

- g. The District may include in a student's education records, information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. The District may disclose this information to teachers and school officials of other districts, if those individuals have a legitimate educational interest in the behavior of the student.

Personally identifiable information from student records may be released to appropriate parties in emergency situations where the information is necessary to protect the health or safety of the student or other individuals. The factors to be considered in disclosing information under this section include the seriousness of the threat, the extent to which time is of the essence in meeting the emergency, and the need of the information to meet the emergency. In these situations, the student or parent or guardian (whichever applies) shall be notified of the information released and the reason for its release.

- h. Directory information includes information contained in the education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may be released after prior annual notification unless a parent/student objects to the release of directory information. The District shall provide annual notification by October 1 of each school year. This information will be annually distributed in District publications, such as: school newsletters, school handbooks, etc.

(1) The following categories of information have been designated as directory information: student's name, address, phone number, date and place of birth, dates of attendance, grade level, degrees and awards received, date of graduation, name of secondary school most recently attended, participation in officially recognized activities and sports, and height and weight of members of interscholastic athletic teams.

(2) Requests for directory information from authorized representatives of governmental agencies, elected officials, the police, social service and educational agencies, private businesses, individuals or other organizations which facilitate service to students will be considered and approved at the Administration's discretion. Directory information may be released without the prior written consent from the parent/guardian, or from the student if 18 or over unless notified in writing to the contrary by October 1 of each school year or upon enrollment. Notification of this policy will occur on an annual basis at the beginning of each school year or upon enrollment.

(3) Information as to whether a particular student is enrolled in the District may be released.

- i. Requests to change or modify records. Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

(1) Parents or the eligible student must submit a written request to the principal to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.

(2) The Anchorage School District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.

(3) Upon request, the Anchorage School District will arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing.

(4) The hearing will be conducted within a reasonable time by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.

(5) The Anchorage School District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

(6) If the Anchorage School District decides that the challenged information is not inaccurate, misleading or in violation of the student's rights of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the Anchorage School District discloses the contested portion of the record, it must also disclose the statement.

(8) If the Anchorage School District decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student, in writing, that the record has been amended.

- j. Disclosure without prior consent. The following may have restricted access to student records without the prior written consent signed by the parent or eligible student:
- (1) The School Board as an official body when acting in its official capacity with regard to matters pertaining to an individual student.
  - (2) Staff of the District having a legitimate educational interest and need to know by virtue of being appropriately involved in carrying out assigned responsibilities for the administration or provision of educational programming or services and/or for the generation and maintenance of student records.
  - (3) Before releasing records to another school system, the District will release information to schools in which the student has or intends to enroll only with the written consent of the parent or eligible student, unless:
    - a) The records transfer was requested by the parent; or
    - b) the annual notification states that the District forwards education records to other schools in which the student wishes to enroll.
  - (4) State/federal officials and others only as prescribed by state and federal law and regulations.
  - (5) The parent of an 18 year old who is financially dependent has the right of access to the student's records.
  - (6) Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests; administering student aid programs; and improving instruction; under the condition that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization, and the information will be destroyed when no longer needed for the purposes for which the study was conducted.
  - (7) Accrediting organizations in order to carry out their accrediting functions.
  - (8) In limited circumstances in connection with financial aid for which the student has applied or has received.
  - (9) If the District initiates legal action against a student or parent, the District may disclose relevant student records to the court after making a reasonable effort to notify the parent/eligible student in advance of providing the records.

If the District utilizes a procedure of records transfer without notice or consent, it must give the parent or eligible student a copy of the records that were disclosed, if the parent or eligible student so requests.

- k. Pre–School Children. Pre–school children who are applicants for enrollment, but not currently enrolled, are not considered students or covered under this policy. Information about these children is covered under Policy 332.3, Lottery Procedures.
- l. Definitions: The following definitions apply to this policy.
  - (1) Student: any person who attends or has attended a school in the Anchorage School District and for whom the District maintains education records.
  - (2) Eligible Student: a student or former student who has reached age 18 or is attending a post secondary school.
  - (3) Parent: either natural parent of a student, a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian. A parent with a financially dependent student 18 or over has right of access to the student's records. A financially dependent student is one who receives over half of his/her financial support from his/her parents. ([Section 152 of IRS Code of 1954.](#))
  - (4) Education Records: any record (in handwriting, print, tapes, file, or other medium) maintained by the Anchorage School District or an agent of the District which is directly related to a student, except:
    - a) A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to other persons except a temporary substitute for the maker of the record;
    - b) Records created and maintained by the Anchorage School District for law enforcement purposes;
    - c) An employment record which is used only in relation to a student's employment by the Anchorage School District;
    - d) Alumni records which contain information about a student after he or she is no longer in attendance at the District and which do not relate to the person as a student.
    - e) Medical or psychological records of a past or present student 18 or over which are made, maintained, or used only in connection with treatment of the student and which are provided to an individual administering treatment.

(Section 343.34 - Revised September 11, 1995)

(Section 343.34 - Revised June 22, 1998)

(Section 343.34 – Revised October 24, 2005)

(Section 343.34 – Revised December 11, 2006)

### **343.35 Psychological Evaluation**

Parental consent, or consent of the student if over 18 years of age, is required prior to conducting a psychological evaluation. Psychological records will be treated like other student records.

### **343.36 Requests to Amend Records and Rights to Hearing**

- a. Requests to change or modify records. Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

- (1) Parents or the eligible student must submit a written request to the principal to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.

- (2) The Anchorage School District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.

- (3) Upon request, the Anchorage School District will arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing.

- (4) The hearing will be conducted within a reasonable time by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.

- (5) The Anchorage School District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

- (6) If the Anchorage School District decides that the challenged information is not inaccurate, misleading or in violation of the student's rights of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement

commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the Anchorage School District discloses the contested portion of the record, it must also disclose the statement.

(8) If the Anchorage School District decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student, in writing, that the record has been amended.

(Section 343.36 - Revised June 22, 1998)

### **343.37 Legal Names of Students**

The legal names of students are required on all "official" documents, including transcripts, Federal Impact Survey Cards, etc.

This does not preclude recognition of the wishes of parents, guardians and/or students to utilize appropriate aliases or nicknames at public gatherings, in general publication media (e.g., graduation ceremony, new publication, etc.) and on high school diploma.

### **343.38 Annual Notification**

The District will annually notify parents and students of the rights accorded to them under this policy. In meeting the requirement set forth in this section, the District shall provide to parents and eligible students a copy of this policy annually. Accompanying a copy of the policy shall be a letter which informs them of their rights to inspect and review the student's education records; to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights; to consent to disclosure of personally identifiable information except when disclosure is authorized without consent pursuant to law; and to file a complaint in accordance with 34 CFR 99.63 and 99.64. Notification of this policy on student records shall be made known to all students, parents, and guardians, by placement in the Board Policy Manual, posting in all schools, inclusion in the student handbook, and such other means as may be appropriate.

(Section 343.38 - Revised June 22, 1998)

### **343.39 Complaint Procedure**

- a. A parent or eligible student may file a written complaint with the national Family Policy Compliance Office regarding an alleged violation of federal laws governing the administration of student records. These laws include the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232 g, and its regulations found at 34 CFR Part 99. A complaint must be filed within 180 days of the date of the alleged violation or of the date the parent or eligible student knew or reasonably should have known of the alleged violation. Complaints should be filed with:

Family Policy Compliance Office

[U.S. Department of Education](http://www.ed.gov/fpco)

600 Independence Avenue, SW  
Washington D. C. 20202-4605

(Section 343.39 – Approved June 22, 1998)

## ASD STUDENT RECORDS POLICIES

### RECOMMENDATIONS BASED ON FERPA AMENDMENTS

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#### 343.3 Student Records

The following definitions apply to sections 343.31-343.39 related to student records: (a) Student: any person who attends or has attended a school in the Anchorage School District and for whom the District maintains education records.

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(b) Eligible Student: a student or former student who has reached age 18, is an emancipated minor, or is attending a post secondary school.

(c) Parent:

(1) a natural parent,

(2) an adoptive parent,

(3) foster parent,

(4) legal guardian,

(5) an individual acting as a parent in the absence of a parent or guardian, or

(6) in the case of a student receiving special education, a person acting as the parent of a child or a surrogate parent appointed in accordance with state regulations.

(d) Education Records: any record (in handwriting, print, tapes, file, or other medium) maintained by the Anchorage School District or an agent of the District which is directly related to a student, except:

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(1) A personal record kept by a staff member or professional consultant if it is kept in the sole possession of the maker of the record, is used only as a personal memory aid, and is not accessible or revealed to other persons except a temporary substitute for the maker of the record;

(2) Records of the Anchorage School District's law enforcement unit;

(3) An employment record made and maintained in the normal course of business that relates exclusively to an individual in his or her capacity as an employee of the Anchorage School District. However, records relating to a student who is employed as a result of his or her student status are education records;

(4) Records created or received by the District after the student is no longer in attendance and which do not relate to the individual's attendance as a student.

(5) Medical or psychological records of a past or present student 18 or over which are made, maintained, or used only in connection with treatment of the student and which are provided only to an individual administering treatment.

(6) Grades on peer-graded papers before they are collected and recorded by a teacher.

### **343.31 Obligation to Maintain Records**

Schools are obligated to maintain records on each student to:

- a. provide basic identifying data including family background information;
- b. provide a record of achievement in school;
- c. provide information required by rules and regulations including attendance data, scores on standardized, criterion-referenced, intelligence, aptitude and psychological tests;
- d. supply information about students that may be needed in placing the student in productive employment and/or post high school educational pursuits; and
- e. provide a record of disciplinary problems or behavior patterns which have required corrective or punitive action (such as suspension or expulsion).

**Deleted:** Unit Principals are required to maintain a cumulative record for each student. ¶

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### **343.32 Storage - Location of Records**

Student records shall remain in the custody of the school administrator of a particular unit or his/her authorized personnel within the confines of the administrative area of the building, until released to another school or to the student records department of the District.

Such records shall be maintained and disposed of according to the requirements of federal and state laws and regulations.

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√(Section 343.32 - Revised June 22, 1998)

**343.33 Classifications of Records** a. A student's Permanent Record constitutes the final information about that student and represents the culmination of the student's record while attending school and contains the following:

**Deleted:** Such records shall be kept in a fireproof vault, safe, or in a securable metal filing cabinet. ¶

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1. annual accounting

A. name

B. address

C. student ID number

D. date of birth

E. courses taken

F. schools attended and teachers to whose classes the student was assigned

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G. grades/credits earned

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H. aggregate attendance

2. final accounting

A. name of last school attended

B. graduation data

C. exit information

b. A student's Cumulative Record is the ongoing record of their time in school, including previous school districts as the records are available. Items in the cumulative record reflected in section (a) above will become the permanent record. The cumulative record contains the following:

1. name, address, phone number, and sex

2. student ID number

3. date of birth

4. courses taken

5. schools attended and teachers to whose classes the student was assigned

6. grades earned and an explanation of the grading system

7. units of credit earned

8. attendance record

9. scores on standardized tests

10. records of required immunizations, physical examinations, and other health-related matters required by state law or district policy

11. disciplinary actions, to include suspensions, expulsions, and reinstatements

**343.35 Psychological Evaluation**

Parental consent, or consent of the student if over 18 years of age, is required prior to conducting a psychological evaluation. Psychological records will be treated like other student records.

**343.37 Legal Names of Students**

The legal names of students are required on all "official" documents, including transcripts, Federal Impact Survey Cards, etc.

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(1) Transcript -

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a) name, address, phone number, and

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b) date of birth¶  
c) subjects taken¶  
d) attendance¶  
e) entry and withdrawal dates¶  
f) standardized and criterion-referenced tests scores¶  
g) student number¶  
h) units of credits earned¶  
i) graduates - grade point average and decile rank in class¶  
j) graduates - total units¶  
k) units required to graduate¶  
l) graduation certification by principal¶  
m) graduation date¶  
n) Elementary Permanent Record Card¶  
o) materials included in the cumulative reading and math record (the elementary cumulative folder)¶  
p) last quarter progress report for each year (for special education and ungraded students)¶  
q) audiological reports (most current only)¶  
r) speech pathology reports, if any¶  
s) Cumulative Health Card¶

Deleted: t) signed release authorizing transmittal for copies of student's records ¶

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(1) Co-curricular and curricular activities and awards. ¶ [1]

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This does not preclude recognition of the wishes of parents, guardians and/or students to utilize appropriate aliases or nicknames at public gatherings, in general publication media (e.g., graduation ceremony, new publication, etc.) and on high school diploma.

### 343.38 Annual Notification

~~a. The Superintendent shall notify parents and eligible students of the rights accorded them under this policy. Annually, the Superintendent shall provide a notice to parents and eligible students as of the date of the notice, setting out their rights:~~

- ~~1. to inspect and review their student's education records, and the procedures for doing so;~~
- ~~2. to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights, and the procedures for doing so;~~
- ~~3. to withhold consent to disclosure of personally identifiable information except where law authorizes disclosure without consent; and~~
- ~~4. to file a complaint in accordance with 34 CFR Section 99.63 and 99.64.~~

~~b. The annual notice shall explain the policy of disclosing student records without consent to school officials with a legitimate educational interest, shall identify those school officials, and describe what constitutes a legitimate educational interest.~~

~~c. The annual notice will also explain that the District forwards records to other school districts or institutions that have requested the records and where the student attends or is seeking to enroll.~~

~~d. The annual notice will include information concerning the University of Alaska scholarship programs and the District's obligations under state law to provide the names of students who are eligible for these programs.~~

~~e. The annual notice will provide the name and address of the official responsible for the records and the current fee for requested copies of records.~~

~~f. In addition, the District will maintain for public inspection a list of the names and positions of those employees who routinely have access to student records specifically collected or maintained in conjunction with the provision of services to exceptional children with disabilities.~~

~~g. Upon request, the District shall provide a parent of a student receiving special education or related services as an exceptional child a list of the type and location of records collected, maintained and used by the District in conjunction with the provision of such services.~~

(Section 343.38 - Revised June 22, 1998)

### 343.39 Complaint Procedure

- a. A parent or eligible student may file a written complaint with the national Family Policy Compliance Office regarding an alleged violation of federal laws governing the administration of student records. These laws include the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232 g, and its regulations found at 34 CFR Part 99. A complaint must be filed within 180 days of the date of the alleged violation or of the date the parent or eligible student knew or reasonably should have known of the alleged violation. Complaints should be filed with:

**Deleted:** The District will annually notify parents and students of the rights accorded to them under this policy. In meeting the requirement set forth in this section, the District shall provide to parents and eligible students a copy of this policy annually. Accompanying a copy of the policy shall be a letter which informs them of their rights to inspect and review the student's education records; to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights; to consent to disclosure of personally identifiable information except when disclosure is authorized without consent pursuant to law; and to file a complaint in accordance with 34 CFR 99.63 and 99.64. Notification of this policy on student records shall be made known to all students, parents, and guardians, by placement in the Board Policy Manual, posting in all schools, inclusion in the student handbook, and suc[... [3]

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Family Policy Compliance Office

[U.S. Department of Education](#)

[Washington D. C. 20202-3887](#)

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(Section 343.39 – Approved June 22, 1998)

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Temporary/Supplementary

- (1) Co-curricular and curricular activities and awards.
- (2) Pertinent information from all record sources (but only with specific approval of the unit administrator).

This file should be systematically reviewed and items discarded as soon as they have out-lived their usefulness.

Requests to change or modify records. Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

- (1) Parents or the eligible student must submit a written request to the principal to amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
- (2) The Anchorage School District may comply with the request or it may decide not to comply. If it decides not to comply, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
- (3) Upon request, the Anchorage School District will arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing.
- (4) The hearing will be conducted within a reasonable time by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the District. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parents or student may be assisted by one or more individuals, including an attorney.
- (5) The Anchorage School District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

(6) If the Anchorage School District decides that the challenged information is not inaccurate, misleading or in violation of the student's rights of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the Anchorage School District discloses the contested portion of the record, it must also disclose the statement.

(8) If the Anchorage School District decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parents or eligible student, in writing, that the record has been amended.

(Section 343.36 - Revised June 22, 1998)

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The District will annually notify parents and students of the rights accorded to them under this policy. In meeting the requirement set forth in this section, the District shall provide to parents and eligible students a copy of this policy annually. Accompanying a copy of the policy shall be a letter which informs them of their rights to inspect and review the student's education records; to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights; to consent to disclosure of personally identifiable information except when disclosure is authorized without consent pursuant to law; and to file a complaint in accordance with 34 CFR 99.63 and 99.64. Notification of this policy on student records shall be made known to all students, parents, and guardians, by placement in the Board Policy Manual, posting in all schools, inclusion in the student handbook, and such other means as may be appropriate.

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to parents and eligible students a notice which informs them of their rights: