

**District Procedure**

Book:	District Procedure
Section:	J - Students
Title:	Student Records
Number:	JR
Status:	Active
Legal:	P.L. 93-380; O.C.G.A., 20-2-320
Adopted:	07/01/1986
Last Revised:	08/10/1995
Last Reviewed:	02/10/2006

**Policy Detail**

The Fulton County Schools Board of Education shall protect the confidentiality of personally identifiable information in student records (except for directory information) against all persons with the following exceptions:

- those with a need to know in normal operation of the schools or school system
- when specifically authorized release is granted in writing by the parent or eligible student
- pursuant to subpoena or judicial order, or
- when otherwise specified by federal or state laws.

Further, the parent or legal guardian or eligible student shall have the right of access and right of hearing to challenge the contents of records believed to be inaccurate, misleading or otherwise in violation of privacy or other rights of the student within 45 days of request or before transfer of records.

Student Record Files

Student records shall be organized and filed in categories and systems designed to expedite control, security, and release of the information provided in the records. Student records shall also be stored in a way to protect the confidentiality of the student. All student records shall be retained according to the applicable retention schedule.

Notification of Rights

Students and parents must be notified annually of their rights under the Family Educational Rights and Privacy Act (FERPA). A letter explaining those rights must be distributed to parents or students each school year.

Inspection and Review of Student Records by Parents, Legal Guardians or Eligible Students

Parents, legal guardians and students (18 years of age and older) wishing to inspect a

student record should make a written request which should be filed with the student's record.

- If parents wish to challenge the contents of the record as being inaccurate, misleading, or violating one's right to privacy, the principal should schedule a time for the parent to attend an informal hearing for such a challenge. The hearing should be conducted by the principal and at least one other school representative (teacher, counselor, assistant principal or school psychologist).
  - If the parent is not satisfied with the results of the informal hearing at the school level, the parent should be advised of the right to file his/her views in writing within 10 days with the Executive Director of Student Services. The Executive Director of Student Services or designee will schedule a hearing involving the parent and/or local school staff. If the issue is not resolved at this hearing, the parent will be advised of the right to place a statement into the record commenting on contested information and stating the disagreement regarding the information.

### Release of Information With Written Consent

Authorization to release a student record to a third party must be given in writing and signed by the parent, legal guardian, or student (18 years of age or older) and filed with the student's record. Student records may be released by the Records Management Department or local schools upon receipt of signed letter of request or signed records release form. All written requests for a record should be maintained as part of the student's record.

### Release of Directory Information Without Written Consent

Directory information may be released without prior consent unless written notice to the contrary is received in advance, on an annual basis by the Records Management Department. Fulton County Board of Education designates the following as directory information: student's name, address and telephone listing, date and place of birth, dates of attendance, major field of study, participation in officially recognized activities and sports, weight and height if a member of an athletic team, degrees or awards received, the most recent previous educational agency or institution attended and other similar information.

Parents, legal guardians or students (18 years of age or older) who do not wish for directory information to be released must annually notify the Records Management Department in writing. The Records Management Department will then notify the school. It is the school's responsibility to notify appropriate personnel that directory information is not to be released.

## Release of Information Without Written Consent

Records may be released without prior written consent if the disclosure meets one or more of the following conditions:

- To other school officials within the school system, including teachers, who have a legitimate educational interest.
- To officials of another school or school system, or institution of postsecondary education where the student seeks or intends to enroll.
- Pursuant to any judicially imposed procedure, court order, or subpoena. However, records should not be released until a reasonable effort has been made to notify the parent, legal guardian or student (18 years of age or older) that the record has been requested. Unless time restraints require otherwise, the parent, legal guardian, or student will be offered the opportunity to receive a copy of the record desired. The Records Management Department staff will be available to assist local schools with decisions.
- To federal, state, or local officials in connection with an audit or evaluation of federal or state supported education programs, or for the enforcement of or compliance with federal legal requirements which relate to those programs. Information collected for this reason must be protected in a manner that does not permit personal identification of individuals by anyone other than the aforementioned officials and must be destroyed when no longer needed for the purposes listed herein. The safeguards previously listed do not apply if the parent or eligible student has given written consent for the disclosure or if the information is specifically authorized by federal law.
- In connection with financial aid for which the student has applied for or received if it is conditioned upon school attendance. Information may be used to determine eligibility, amount of aid, conditions of aid or to enforce the terms and condition of aid.
- To state and local officials or authorities if a state statute adopted before November 19, 1974 specifically requires disclosure; however, this does not prevent a state from further limiting the number or type of state or local officials to whom disclosure may be made.
- To organizations including, but not limited to, federal, state, and local agencies or independent organizations conducting studies for or on behalf of educational agencies or institutions to develop, validate or administer predictive tests, improve

instruction or to administer student aid programs. The study must be conducted in a manner that does not permit personal identification of parents and students to anyone other than the aforementioned, and the information must be destroyed when no longer needed for the purposes for which the study was conducted.

- To accrediting organizations as needed to carry out their functions.
- To parents of a dependent student as defined in the Internal Revenue Service code.
- In connection with a health or safety emergency if that knowledge is necessary to protect the health and safety of others.
- To the parent of a student who is not 18 years of age or older or to the student if 18 years of age or older.
- Or as otherwise permitted under law.

Except for the parent, guardian, eligible student or school official, the identity of persons requesting access to the student's record should be recorded and maintained with the student's record.

### Parent's Rights

Access to student records is granted to both parents, regardless of which parent has been awarded custody, unless the school district has been provided with evidence that there is a court order, State statute, or legally binding document that specifically revokes these rights.

### Student's Rights

All FERPA rights granted to the parents become the exclusive rights of the student once the student has reached the age 18 or has commenced study at a postsecondary education institution. At age 18, the student has the right to access his/her educational records and the right to prevent access by his/her parents. However, FERPA provides for continued access by parents to their child's educational records, as long as the student is a dependent student for income tax purposes. If there is a legitimate educational interest, school district employees may access a student's record without parental consent. For more information regarding student records, please review the Student Records Policy.

### Transferring Student Records for Permanent Storage

Student Permanent Records shall be transferred to the Records Management Department

for permanent storage and retention based on a schedule developed annually by the Records management Department. It is the responsibility of each school to ensure that all files are complete and accurate prior to sending them to the Records Management Department.

### Destruction of Student Records

The destruction of student records shall only occur when records are eligible for destruction, which is in accordance with the record's approved applicable retention schedule. These records shall be properly shredded in accordance with the law to protect the confidentiality of the student. The Records Management Department shall notify the record owners when records stored at the Records Center are eligible for destruction. Upon receipt of this notification, the record owners must either approve the destruction of said records by signing the notification and sending it back to the Records Management Department, or disapprove the destruction by providing reason(s) why said records should not be destroyed. These reasons shall be noted on the notification and sent back to the Records Management Department. Upon receipt of this notification, the Records Management Department will either proceed with the legal destruction of the records (if approved by record owner), or continue to store the records based on the decision of the owner to disapprove destruction.

The Records Management Department shall provide the processes for the proper transferal, storage, and destruction of all student records.

Cross References: [JR – Student Records Policy](#)

Created on 09/07/2005 at 07:50 AM by Leigh Noble. Last update on 04/14/2006 by Tina M Walker.