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**1 Ovando School District #11**

2

**3 STUDENTS**

3600P

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5 Student Records

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7 Maintenance of School Student Records

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9 The District maintains two (2) sets of school records for each student – a permanent record and a  
10 cumulative record.

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12 The permanent record will include:

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14       Basic identifying information

15       Academic work completed (transcripts)

16       Level of achievement (grades, standardized achievement tests)

17       Immunization records (per § 20-5-406, MCA)

18       Attendance record

19       Record of any disciplinary action taken against the student, which is educationally related

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21 Each student's permanent file, as defined by the board of public education, must be permanently kept  
22 in a secure location.

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24 The cumulative record may include:

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26       Intelligence and aptitude scores

27       Psychological reports

28       Participation in extracurricular activities

29       Honors and awards

30       Teacher anecdotal records

31       Verified reports or information from non-educational persons

32       Verified information of clear relevance to the student's education

33       Information pertaining to release of this record

34       Disciplinary information

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36 Information in the permanent record will indicate authorship and date and will be maintained in  
37 perpetuity for every student who has been enrolled in the District. Cumulative records will be  
38 maintained for eight (8) years after the student graduates or permanently leaves the District.  
39 Cumulative records which may be of continued assistance to a student with disabilities, who  
40 graduates or permanently withdraws from the District, may, after five (5) years, be transferred to the  
41 parents or to the student if the student has succeeded to the rights of the parents.

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43 The building principal will be responsible for maintenance, retention, or destruction of a student's  
44 permanent or cumulative records, in accordance with District procedure established by the  
45 Superintendent.

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4 Access to Student Records

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6 The District will grant access to student records as follows:

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8 1. The District or any District employee will not release, disclose, or grant access to information  
10 found in any student record except under the conditions set forth in this document.

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12 2. The parents of a student under eighteen (18) years of age will be entitled to inspect and copy  
13 information in the child’s school records. Such requests will be made in writing and directed  
14 to the records custodian. Access to the records will be granted within fifteen (15) days of the  
15 District’s receipt of such request.

16

17 Where the parents are divorced or separated, both will be permitted to inspect and copy the  
18 student’s school records, unless a court order indicates otherwise. The District will send  
19 copies of the following to both parents at either one’s request, unless a court order indicates  
20 otherwise:

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- 22 a. Academic progress reports or records;
- 23 b. Health reports;
- 24 c. Notices of parent-teacher conferences;
- 25 d. School calendars distributed to parents/guardians; and
- 26 e. Notices about open houses and other major school events, including student-parent  
27 interaction.

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29 When the student reaches eighteen (18) years of age, graduates from high school, marries, or  
30 enters military service, all rights and privileges accorded to the parent become exclusively  
31 those of the student.

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33 Access will not be granted to the parent or the student to confidential letters and  
34 recommendations concerning admission to a post-secondary educational institution,  
35 applications for employment, or receipt of an honor or award, if the student has waived his or  
36 her right of access after being advised of his or her right to obtain the names of all persons  
37 making such confidential letters or statements.

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39 3. The District may grant access to or release information from student records without prior  
40 written consent to school officials with a legitimate educational interest in the information. A  
41 school official is a person employed by the District in an administrative, supervisory,  
42 academic, or support staff position (including, but not limited to administrators, teachers,  
43 counselors, paraprofessionals, coaches, and bus drivers ), and the board of trustees. A school  
44 official may also include a volunteer or contractor not employed by the District but who  
45 performs an educational service or function for which the District would otherwise use its  
46 own employees and who is under the direct control of the District with respect to the use and  
47 maintenance of personally identifying information from education records, or such other third  
48 parties under contract with the District to provide professional services related to the

District’s educational mission, including, but not limited to, attorneys and auditors. A school official has a legitimate educational interest in student education information when the

official needs the information in order to fulfill his or her professional responsibilities for the District. Access by school officials to student education information will be restricted to that portion of a student’s records necessary for the school official to perform or accomplish their official or professional duties.

114. The District may grant access to or release information from student records without parental consent or notification to any person, for the purpose of research, statistical reporting, or planning, provided that no student or parent can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.

175. The District will grant access to or release information from a student’s records pursuant to a court order.

206. The District will grant access to or release information from any student record, as specifically required by federal or state statute.

237. The District will grant access to or release information from student records to any person possessing a written, dated consent, signed by the parent or eligible student, with particularity as to whom the records may be released, the information or record to be released, and reason for the release. One (1) copy of the consent form will be kept in the records, and one (1) copy will be mailed to the parent or eligible student by the Superintendent. Whenever the District requests consent to release certain records, the records custodian will inform the parent or eligible student of the right to limit such consent to specific portions of information in the records.

328. The District may release student records to the superintendent or an official with similar responsibilities in a school in which the student has enrolled or intends to enroll, upon written request from such official. School officials may also include those listed in #3 above.

369. Prior to release of any records or information under items 5, 6, 7, and 8, above, the District will provide prompt written notice to the parents or eligible student of this intended action. This notification will include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents.

4110. The District may release student records or information in connection with an emergency, without parental consent, if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The records custodian will make this decision, taking into consideration the nature of the emergency, the seriousness of the threat to the health and safety of the student or other persons, the need for such records to meet the emergency, and whether the persons to whom such records are released are in a position to deal with the emergency. The District will notify the parents or eligible student, as soon as possible, of the information released, date of the release, the person, agency, or organization

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1 to whom the release was made, and the purpose of the release.

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711. The District may disclose, without parental consent, student records or information to the  
8 youth court and law enforcement authorities, pertaining to violations of the Montana Youth  
9 Court Act or criminal laws by the student.

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1112. The District will comply with an *ex parte* order requiring it to permit the U.S. Attorney  
12 General or designee to have access to a student’s school records without notice to or consent  
13 of the student’s parent(s)/guardian(s).

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1513. The District charges a nominal fee for copying information in the student’s records. No  
16 parent or student will be precluded from copying information because of financial hardship.

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1814. A record of all releases of information from student records (including all instances of access  
19 granted, whether or not records were copied) will be kept and maintained as part of such  
20 records. This record will be maintained for the life of the student record and will be  
21 accessible only to the parent or eligible student, records custodian, or other person. The  
22 record of release will include:

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- 24 a. Information released or made accessible.
- 25 b. Name and signature of the records custodian.
- 26 c. Name and position of the person obtaining the release or access.
- 27 d. Date of release or grant of access.
- 28 e. Copy of any consent to such release.

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30Directory Information

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32The District may release certain directory information regarding students, except that parents may  
33prohibit such a release. Directory information will be limited to:

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- 35 Student’s name
- 36 Address
- 37 Telephone listing
- 38 Electronic mail address
- 39 Photograph (including electronic version)
- 40 Date and place of birth
- 41 Major field of study
- 42 Dates of attendance
- 43 Grade level
- 44 Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
- 45 Participation in officially recognized activities and sports
- 46 Weight and height of members of athletic teams
- 47 Degrees
- 48 Honors and awards received
- 49 Most recent educational agency or institution attended

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2The notification to parents and students concerning school records will inform them of their right to  
3object to the release of directory information.

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7Military Recruiters/Institutions of Higher Education

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9Pursuant to federal law, the District is required to release the names, addresses, and telephone  
10numbers of all high school students to military recruiters and institutions of higher education upon  
11request. The notification to parents and students concerning school records will inform them of their right  
12to object to the release of this information.

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14Student Record Challenges

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16The parents may challenge the accuracy, relevancy, or propriety of the records, except: (1) grades, and (2)  
17references to expulsions or out-of-school suspensions, if the challenge is made when the student’s school  
18records are being forwarded to another school. They have the right to request a hearing at which each  
19party has:

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- 21☐ The right to present evidence and to call witnesses;
- 22☐ The right to cross-examine witnesses;
- 23☐ The right to counsel;
- 24☐ The right to a written statement of any decision and the reasons therefor;
- 25☐ The right to appeal an adverse decision to an administrative tribunal or official, to be established or  
26 designated by the State Board.

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28The parents may insert a written statement of reasonable length describing their position on disputed  
29information. The school will include the statement in any release of the information in dispute.

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33Legal Reference:	Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2011); 34 C.F.R.
34	99 (2011)
35	§ 20-5-201, MCA           Duties and sanctions
36	§ 40-4-225, MCA           Access to records by parent
37	§ 41-5-215, MCA           Youth court and department records – notification of
38	school
39	10.55.909, ARM           Student records

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41Procedure History:

42Promulgated on: March 10, 2014

43Reviewed on: February 10, 2014

44Revised on: February 10, 2014

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