Policy JO-1: STUDENT RECORDS **Status:** ADOPTED

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(K–12 Districts)

In order to provide students with appropriate instruction and educational services, it is necessary for the district to maintain extensive and sometimes personal information about students and families. These records must be kept confidential in accordance with law, but must also be readily available to district personnel who need the records to effectively serve district students.

The superintendent or designee will provide for the proper administration of student records in accordance with law, develop appropriate procedures for maintaining student records, and standardize procedures for the collection and transmittal of necessary information about individual students throughout the district. The superintendent and building principals will develop a student records system that includes protocols for releasing student education records. Principals are responsible for maintaining and protecting student education records in each school. The superintendent or designee will make arrangements so that all district employees are trained annually on the confidentiality of student education records, as applicable for each employee classification.

Definitions

Eligible Student – A student or former student who has reached age 18 or is attending a postsecondary school.

Parent – A biological or adoptive parent of a student, a guardian of a student, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Student – Any person who attends or has attended a school in the school district and for whom the district maintains education records.

Health Information

Student health information is a type of student record that is particularly sensitive and protected by numerous state and federal laws. Student health information shall be protected from unauthorized, illegal, or inappropriate disclosure by adherence to the principles of confidentiality and privacy. The information shall be protected regardless of whether the information is received orally, in writing, or electronically and regardless of the type of record or method of storage.

Parent and Eligible Student Access

All parents may inspect and review their student's education records, seek amendments, consent to disclosures, and file complaints regarding the records as allowed by law unless a court order, statute, or legally binding document prohibits such access. These rights transfer from the parent to the student once the student becomes an eligible student; however, under the Missouri Sunshine Law, parents maintain some rights to inspect student records even after a student turns 18. The district will extend the same access to records to either parent, regardless of divorce, custody, or visitation rights, unless the district is provided with evidence that the parent's rights to inspect records have been legally modified.

If a parent or eligible student believes an education record related to the student contains information that is inaccurate, misleading, or in violation of the student's privacy, the parent or eligible student may use the appeals procedures created by the superintendent or designee to request that the district amend the record.

The district will annually notify parents and eligible students of their rights in accordance with law.

Directory Information

Directory information is information contained in an education record of a student that generally would not be considered harmful or an invasion of privacy if disclosed without the consent of a parent or eligible student. The district will designate the types of information included in directory information and release this information without first obtaining consent from a parent or eligible student unless a parent or eligible student notifies the district in writing as directed or unless disclosure is otherwise prohibited by law. Parents and eligible students will be notified annually of the information the district has designated as directory information and the process for notifying the district if they do not want the information released.

Even if parents or eligible students notify the district in writing that they do not want directory information disclosed, the district may still disclose the information if required or allowed to do so by law. For example, the district may require students to disclose their names, identifiers, or district email addresses in classes in which they are enrolled, or students may be required to wear, publicly display, or disclose a student identification card or badge that exhibits information that is designated as directory information.

The school district designates the following items as directory information.

General Directory Information – The following information the district maintains about a personally identifiable student may be disclosed by the district to the school community through, for example, district publications, or to any person without first obtaining written consent from a parent or eligible student:

> Student's name; date of birth; parents' names; grade level; enrollment status (e.g., full-time or part-time); student identification number; user identification or other unique personal identifier used by the student for the purposes of accessing or communicating in electronic systems as long as that information alone cannot be used to access protected educational records; participation in district-sponsored or district-recognized activities and sports; weight and height of members of athletic teams; athletic performance data; dates of attendance; degrees, honors, and awards received; artwork or coursework displayed by the district; schools or school districts previously attended; and photographs, videotapes, digital images, and recorded sound unless such records would be considered harmful or an invasion of privacy.

Limited Directory Information – In addition to general directory information, the following information the district maintains about a personally identifiable student may be disclosed to parent groups or booster clubs that are recognized by the board and are created solely to work with the district, its staff, students, and parents and to raise funds for district activities for the purposes of encouraging membership or participation in the group or club; parents of other students enrolled in the same school as the student whose information is released when the release is for the purpose of facilitating communication between parents; governmental entities including, but not limited to, law enforcement, the juvenile office, and the Children's Division (CD) of the Department of Social Services for official governmental purposes:

> The student's address, telephone number, and email address and the parents' addresses, telephone numbers, and email addresses.

The district may require a person or entity that requests limited directory information to certify in writing that the information will not be redisclosed without the prior written consent of the parent or eligible student.

Law Enforcement Access

The district may report or disclose education records to law enforcement and juvenile justice authorities if the disclosure concerns law enforcement's or juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed must comply with applicable restrictions set forth in federal law.

If the district reports a crime committed by a student with a disability as defined in the Individuals with Disabilities Education Act (IDEA), the district will transmit copies of the special education and disciplinary records to the authorities to whom the district reported the crime as allowed by law.

Law enforcement officials also have access to directory information and may obtain access to student education records in emergency situations as allowed by law. Otherwise, law enforcement officials must obtain a subpoena or consent from the parent or eligible student before a student's education records will be disclosed.

Children's Division Access

The district may disclose education records to representatives of the CD when reporting child abuse and neglect in accordance with law. Once the CD obtains custody of a student, CD representatives may also have access to education records in accordance with law. CD representatives may also have access to directory information and may obtain access to student education records in emergency situations, as allowed by law.

Military and Higher Education Access

The district will disclose the names, addresses, and telephone numbers of secondary school students to military recruiters or institutions of higher education as required by law. However, if a parent, or a secondary school student who is at least 18, submits a written request, the district will not release the information without first obtaining written consent from the parent or the student. The district will notify parents, and secondary school students who are at least 18, that they may opt out of these disclosures.

Volunteer Access

District staff will not allow volunteers to access student records unless the volunteer has completed a criminal background check and the district has determined that the volunteer should have access. A volunteer who has completed a criminal background check may access student education records only under the supervision of staff members and when necessary to assist the district.

Records Retention

The district shall retain all student records in accordance with applicable federal and state law, as well as the current version of the Missouri Secretary of State's Public School Records Retention Schedule and General Records Retention Schedule. The district will permanently maintain student individualized education programs (IEPs), individualized family service plans (IFSPs), and Section 504 plans as required by law.

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Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
§ 167.020, RSMo.	State Statute
§ 167.022, RSMo.	State Statute
§ 167.027, RSMo.	State Statute
§ 167.115, RSMo.	State Statute
§ 167.122, RSMo.	State Statute
§ 167.123, RSMo.	State Statute
§ 168.133, RSMo.	State Statute
§ 210.115, RSMo.	State Statute
§ 210.1360, RSMo.	State Statute
§ 210.865, RSMo.	State Statute
§ 452.375, RSMo.	State Statute
§ 452.376, RSMo.	State Statute
§ 589.664, RSMo.	State Statute
§§ 610.010-.030, RSMo.	State Statute
§§ 610.010-.030, RSMo.	State Statute
MO COURT	Oregon County R-VI Sch. Dist. v. LeMon, 739 S.W.2d 533 (Mo. Ct. App. 1987)

Federal	Description
20 U.S.C. § 1232g	Family Educational Rights and Privacy Act
20 U.S.C. § 1232h	Protection of Pupil Rights Amendment
20 U.S.C. § 1400-1417	Individuals with Disabilities Education Act
20 U.S.C. § 7908	Elementary and Secondary Education Act
29 U.S.C. § 794	Section 504 of the Rehabilitation Act of 1973
34 C.F.R Part 104	Section 504 of the Rehabilitation Act of 1973
42 U.S.C. §§ 12101-12213	Americans with Disabilities Act

Cross References

Code	Description
BBFA	BOARD MEMBER CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE
BBFA-AF(2)	BOARD MEMBER CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE - (Statement of Substantial Interest)

BDC	CLOSED MEETINGS, RECORDS, AND VOTES
EFB	FREE AND REDUCED-PRICE FOOD SERVICE
EHB	TECHNOLOGY USAGE
EHB-AP(1)	TECHNOLOGY USAGE - (Technology Safety)
EHB-AP(2)	TECHNOLOGY USAGE - (Access to Blocked or Filtered Content)
EHB-AF(1)	TECHNOLOGY USAGE - (Parent/Guardian Technology Agreement)
EHB-AF(2)	TECHNOLOGY USAGE - (Student User Agreement)
EHB-AF(3)	TECHNOLOGY USAGE - (Employee Technology Agreement)
EHB-AF(4)	TECHNOLOGY USAGE - (External User Technology Agreement)
EHBC	DATA GOVERNANCE AND SECURITY
EHBC-AP(1)	DATA GOVERNANCE AND SECURITY - (Incident and Data Breach Response Plan)
EHBC-AP(2)	DATA GOVERNANCE AND SECURITY - (Data Management)
EHBC-AP(3)	DATA GOVERNANCE AND SECURITY - (Account Management)
EHBC-AP(4)	DATA GOVERNANCE AND SECURITY - (Security Controls)
EHBC-AF(1)	DATA GOVERNANCE AND SECURITY - (Confidentiality and Security Agreement for Employees and Volunteers)
EHBD	ARTIFICIAL INTELLIGENCE USE
EHBD-AP(1)	ARTIFICIAL INTELLIGENCE USE - (AI Use Plan)
GBAD	TELEWORK
GBAD-AP(1)	TELEWORK
GBAD-AF(1)	TELEWORK - (Telework Plan)
GBCB	STAFF CONDUCT
GBCBB	PROTECTED STAFF COMMUNICATIONS
GBCBB-AF(1)	PROTECTED STAFF COMMUNICATIONS - (Notice to Employees Section 105.055, RSMo.)
IGAB	INSTRUCTIONAL INTERVENTIONS
IGAB-AP(1)	INSTRUCTIONAL INTERVENTIONS - (Reading Interventions)
IGB	ACCOMMODATION OF STUDENTS WITH DISABILITIES

IGB-AP(1)	ACCOMMODATION OF STUDENTS WITH DISABILITIES - (Section 504 and ADA Procedures)
IGB-AF(1)	ACCOMMODATION OF STUDENTS WITH DISABILITIES - (Section 504 of the Rehabilitation Act of 1973 Procedural Safeguards)
IGB-AF(2)	ACCOMMODATION OF STUDENTS WITH DISABILITIES - (504 Eligibility Determination)
IGBA-1	SPECIAL EDUCATION
IGBA-2	SPECIAL EDUCATION
IGBCB	PROGRAMS FOR MIGRATORY STUDENTS
IGBCB-1-AP(1)	PROGRAMS FOR MIGRATORY STUDENTS - (K–12 Districts)
IGBCB-2-AP(1)	PROGRAMS FOR MIGRATORY STUDENTS - (K–8 Districts)
IGBE-AP(1)	STUDENTS IN FOSTER CARE - (Dispute Resolution Process)
IGBE-1	STUDENTS IN FOSTER CARE
IGBE-2	STUDENTS IN FOSTER CARE
IGDB	STUDENT PUBLICATIONS
IIAC	INSTRUCTIONAL MEDIA CENTERS/SCHOOL LIBRARIES
IIAC-AF(1)	INSTRUCTIONAL MEDIA CENTERS/SCHOOL LIBRARIES - (Consent for Disclosure of Library Records)
IL-1	ASSESSMENT PROGRAM
IL-2	ASSESSMENT PROGRAM
KB	PUBLIC INFORMATION PROGRAM
KB-1-AP(1)	PUBLIC INFORMATION PROGRAM - (K–12 Districts)
KB-2-AP(1)	PUBLIC INFORMATION PROGRAM - (K–8 Districts)
KDA	CUSTODIAL AND NONCUSTODIAL PARENTS
KI	PUBLIC SOLICITATIONS/ADVERTISING IN DISTRICT FACILITIES
KKB	AUDIO AND VISUAL RECORDING
KNAJ	RELATIONS WITH LAW ENFORCEMENT AUTHORITIES