

**STUDENT PROGRESS REPORTING/STUDENT FILES AND RECORDS**

(This policy replaces a portion of Board Policy 3140, Student Progress Reporting/Student Files and Records)

The Board of Education recognizes the need to keep parents and authorized institutions informed regarding the academic progress and attendance of students. It also recognizes the need to protect the student's right to confidentiality regarding personally identifiable information. The school staff shall maintain student records in compliance with state and federal law.

**I. Reporting of Grades/Attendance to Parents/Guardians and Public.**

Grade reports shall be provided to parents at the close of each nine-week grading period. Progress reports on students doing unsatisfactory work will be sent to parents at mid-quarter or more often if deemed necessary. For students in danger of failing a course, an effort will be made to conduct a personal or telephone conference with the parent/guardian prior to the failing grade being issued. Regular parent-teacher conferences shall be scheduled twice per year. Parents may request additional conferences by contacting the Superintendent or Principal.

An attendance summary is provided to parents at the end of each nine-week period. On a daily basis, school personnel shall attempt to have personal contact with a parent if a student is absent. The preferred method is for the parent to contact the school if the student is going to be absent. Failing that, the student is to bring a written excuse upon his/her return to school.

Principals may establish an Honor Roll or other means to recognize student achievement and release such information periodically to the media and public.

**II. Reporting of Student Information.**

Student files and other education records shall not be released or divulged except in compliance with state and federal law.

**A. Access by School Officials.** School officials may have access to only those education records in which they have a legitimate educational interest, unless the parent has given written and dated consent for the access. A school official who violates this restriction shall be subject to disciplinary action up to and including termination. 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 and effectively provide the function or service for which they are responsible.

A school official for purposes of access to education records is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

---

To the extent permitted by law, contractors, consultants and volunteers may be permitted to have access to education records where they are performing a function or service that would otherwise be done by a school employee. Their access is limited to education records in which they have a legitimate educational interest; which means records needed to effectively provide the function or service for which they are responsible.

**B. Access by Students and Parents.** A parent or guardian of a student or former student, and a student or former student who is eighteen (18) years of age or older, shall be given the opportunity upon request to inspect and review the education records of the student or former student. Non-custodial parents will be provided full and equal access to the education records of his or her child unless there is a court order to the contrary. Transcripts shall be sent as requested by the student (if he/she is 18 years old or older) or parent to post-secondary institutions. Written permission is required.

In cases of parental separation or divorce, equal access shall be provided to both parents unless a court decree directs otherwise. The custodial parent shall then provide a copy of such decree to the school. Students aged 18 or older shall have the same rights as parents for purposes of this policy and legal guardians shall have the same rights. Temporary guardians may exercise parental rights with parental permission or a court decree.

**C. Other Institutions.** Other schools which the student is attending or is about to attend shall also have access to these records. An effort shall be made to secure written parental permission before such records are released to another school. However, upon request the district may disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll.

**D. Medical Emergencies.** Administrators and other staff are authorized to release medical information about students in emergency or potentially emergency situations. Teachers and other employees who are in contact with a student in school, including bus drivers, shall have access to all relevant medical information.

**E. Directory Information.** The District may disclose Directory Information. The types of personally identifiable information that the district has designated as directory information are as follows: student's name, address, telephone listing, electronic mail address, photograph, date of and place of birth, major fields of study, dates of attendance, grade level, enrollment status (e.g., full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and most recent previous school attended. Release of other information shall require parental permission except that nothing in this policy shall prevent an activity sponsor from discussing a student's activity performance with news media representatives. A parent or eligible student has the right to refuse to let the District designate any or all of those types of information about the student as directory information. The period of time within which a parent or eligible student has to notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information is as follows: two weeks from the time this information is first received. The district may disclose information about former students without meeting the conditions in this section.

---

---

In some courses student work may be displayed or made available to others. Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assist with the task of grading student work and returning graded work to students. The District designates such student work as Directory Information and as non-education records. Each parent and eligible student shall be presumed to have accepted this designation in the absence of the parent or eligible student giving notification to the District in writing in the manner set forth above pertaining to the designation of directory information. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student.

F. Disclosure to Military/Higher Education. The No Child Left Behind Act of 2001 requires North Bend Central Public Schools to provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and secondary students have the right to request that North Bend Central Public Schools not provide this information to military recruiters or institutions of higher education, without their prior written parental consent. The Administration will comply with any such request.

G. Governmental Agencies. Personally identifiable information may be given to government agencies without parental permission if such agencies are empowered by law to request such information without permission of parents/guardians. Absent exceptional circumstances, an effort will be made to secure parental approval. Nothing in this policy shall inhibit law enforcement officers in the conduct of investigations. However, such officers shall obtain parental permission or a valid warrant or other authority when investigating student records.

H. Designated Law Enforcement Units. The District designates the Dodge, Saunders, and Colfax County Sheriffs' Departments as the District's "law enforcement units" for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in the District, and (3) maintaining safe and drug free schools.

I. Amendment of Student Records. Parents and eligible students (a student who has reached 18 years of age or is attending an institution of post-secondary education) have the right to challenge any information contained in the records that they believe is inaccurate, misleading or violates the privacy rights of the student. Such a challenge may be made by making a written request to the Principal to amend the records. If a decision is made not to amend the education records in accordance with the request, the Principal shall so inform the parents of the student and the Superintendent. The parent shall be advised of the right to a hearing.

If a hearing is requested, the Superintendent shall conduct a hearing (or delegate the role to another school official who does not have a direct interest in the outcome of the hearing) and provide the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised in conformance with applicable law.

---

J. Maintenance and Destruction of Student Records. Records should generally be organized, managed, retained and disposed of in accordance with law and the Secretary of State's schedules for retention and disposition of public records. The Superintendent is hereby designated as the records officer for the school district for purposes of this policy. Any questions about the type or category of a record or the required retention period for it should be addressed to the records officer. Student files or records shall be so maintained so as to separate academic and disciplinary matters. All disciplinary material in a student's file shall be removed and destroyed after the student's continuous absence from the school for a period of three (3) years.

When litigation against the school district or its employees is filed or threatened, the district will take all reasonable action to preserve all documents and records that pertain to the issue. Employees who receive notice of a litigation hold are to preserve all records that pertain to the litigation issue.

K. FERPA Rights. The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These are enumerated in Administrative Regulation 3140 AR: Notification of Rights Under FERPA.

On an annual basis, the Administration shall publish via Student Handbooks, district newsletters, or other means, a notice to students and parents of their rights under FERPA and a notice as to the District's intent to disclose directory information as described in Paragraphs E and F above.

Legal Reference: Sec. 42-364(4) and 42-381; 43-3001; 79-2,104 and 2,105; 79-539; 84-1201-1226, RRS; 20 USC 1232g and 1232h, Family Educational Rights and Privacy Act; 34 CFR Part, PL 103-382, Improving America's Schools Act of 1994, No Child Left Behind Act of 2001.

(Adopted October, 2002)  
(Revised August, 2008)

---

**Administrative Regulation 3140 AR: Notification of Rights under FERPA**

Board Policy 3140 provides that on an annual basis, the Administration shall publish via Student Handbooks, district newsletters, or other means, a notice to students and parents of their rights under FRPA and a notice as to the District's intent to disclose directory information.

A. The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the students education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the school Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the school district to amend a record that they believe is inaccurate or misleading. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility and effectively provide the function or service for which they are responsible.

Contractors, consultants and volunteers are permitted to have access to education records where they are performing a function or service that would otherwise be done by a school employee. Their access is limited to education records in which they have a legitimate educational interest; which means records needed to effectively provide the function or service for which they are responsible.

---

The District forwards education records (may include academic, health and discipline records) to schools that have requested the records and in which the student seeks or intends to enroll, or where the student has already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605

B. Directory Information. The District may disclose Directory Information. The types of personally identifiable information that the district has designated as directory information are as follows: student's name, address, telephone listing, electronic mail address, photograph, date of and place of birth, major fields of study, dates of attendance, grade level, enrollment status (e.g., full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and most recent previous school attended. A parent or eligible student has the right to refuse to let the District designate any or all of those types of information about the student as directory information. The period of time within which a parent or eligible student has to notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information is as follows: two weeks from the time this information is first received. The district may disclose information about former students without meeting the conditions in this section.

Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assist with the task of grading student work and returning graded work to students. The District designates such student work as directory information and as non-education records. Each parent and eligible student shall be presumed to have accepted this designation in the absence of the parent or eligible student giving notification to the District in writing in the manner set forth above pertaining to the designation of directory information. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student.

C. Designated Law Enforcement Units. The District designates the Dodge, Saunders, and Colfax County Sheriffs' Departments as the District's "law enforcement units" for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in the District, and (3) maintaining safe and drug free schools.

D. Disclosure to Military/Higher Education. The No Child Left Behind Act of 2001 requires North Bend Central Public Schools to provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and secondary students have the right to request that North Bend Central Public Schools not provide this information to

---

military recruiters or institutions of higher education, without their prior written parental consent. The Administration will comply with any such request. **(See Appendix 3140 E1)**

E. Governmental Agencies. Personally identifiable information may be given to government agencies without parental permission if such agencies are empowered by law to request such information without permission of parents/guardians. Absent exceptional circumstances, an effort will be made to secure parental approval. Nothing in this policy shall inhibit law enforcement officers in the conduct of investigations. However, such officers shall obtain parental permission or a valid warrant or other authority when investigating student records.

Legal Reference: Sec. 42-364(4) and 42-381; 43-3001; 79-2,104 and 2,105; 79-539; 84-1201-1226, RRS; 20 USC 1232g and 1232h, Family Educational Rights and Privacy Act; 34 CFR Part, PL 103-382, Improving America's Schools Act of 1994, No Child Left Behind Act of 2001.

(Adopted October, 2002)  
(Revised August, 2008)

---

**APPENDIX 3140 E1: Request For Non-Disclosure Of High School Student Personal Information To Institutions of Higher Education or Military Recruiters**

I hereby request that the name, address, and telephone listing of \_\_\_\_\_ (name of student), a secondary school student at North Bend Central Public Schools, not be released without prior parental consent to:

\_\_\_\_\_ institutions of higher education

\_\_\_\_\_ military recruiters

(check one, both, or none)

Signed by: \_\_\_ Student \_\_\_ Parent (Check One)

\_\_\_\_\_ Signature/Date

\_\_\_\_\_ Print Name

\_\_\_\_\_ Address

\_\_\_\_\_ City/State/Zip Code

*Note to students/parents: This certificate can be signed by either student or a parent. The provision of this form does not reflect the position of North Bend Central Public Schools that the request for non-disclosure should or should not be made.*

Legal Reference: Sec. 9528, 20 USC 7908

---