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In accordance with the Family Educational Rights and Privacy Act of 1974, the Illinois School Student Records Act and Regulations adopted by the State Board of Education, the Board shall protect the student and his family from invasions of privacy in the collection, maintenance, and dissemination of educational information and provide access to recorded information by those persons legally entitled thereto.

Notification of Rights

Upon the initial enrollment or transfer of a student to the District, the District shall notify the student and the student's parents/guardians of their rights under the Illinois School Student Records Act. The District shall also notify the student's parents/guardians of their rights under the Family Educational Rights and Privacy Act of 1974 at least annually.

This notification may be delivered by any means likely to reach the parents/guardians, including direct mail, email, parent-teacher conferences, delivery by the student to the parents/guardians, or the notice may be incorporated in the Parent-Student Handbook or calendar disseminated by the District. Where the parents of a student are divorced and request duplicate mailings, such notice shall be given to both parents unless the District has been furnished with a certified copy of a court order prohibiting such notice to a parent. Such notification shall consist of:

1. The types of information contained in the permanent and temporary records.
2. The right to inspect and copy permanent and temporary records.
3. The right to control access and release of school student records (except to the extent the records are authorized by law to be released without consent) and the right to request a copy of information released.
4. The rights and procedures for challenging the contents of the school student record.
5. The persons, agencies or organizations having access to student records without parental consent.
6. The right to copy any school student record or information contained therein proposed to be destroyed or deleted and the school's schedule for reviewing and destroying such information.
7. The categories of information the school has designated as "directory information" and the right of the parents/guardians to prohibit the release of such information.
8. A statement informing the parents/guardians that no person may condition the granting or withholding of any right, privilege or benefit or make as a condition of employment, credit or insurance the securing by any individual of any information from a student's temporary record which such individual may obtain through the exercise of any right secured under the Illinois School Student Records Act or the regulations adopted by the State Board of Education.

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9. The right of the parents/guardians to inspect and challenge the information contained in a school student record prior to transfer of the record to another school district, in the event of the transfer of the student to that district.
10. Any policies of the District relating to school student records which are not included in the Illinois School Student Records Act or the regulations of the State Board of Education.
11. The right of the parents/guardians to obtain a copy of this policy.
12. The right of the parents/guardians to file with the U. S. Department of Education a complaint concerning alleged failures by the District to comply with the requirements of the Family Educational Rights and Privacy Act of 1974 and related Regulations.

Records Maintained

A permanent record shall be maintained for each student. Such records shall be used only for the benefit, promotion, or welfare of the student. No information shall be added to or contained in a school student record kept on file by the District that is inaccurate, outdated or of no relevance to the educational development of the student.

All material in each permanent record shall be maintained and treated as confidential, according to the following guidelines.

1. Schools shall establish procedures to verify the accuracy of data and to periodically destroy information no longer needed.
2. The school records of students which are kept and open to inspection and review shall include:
 - A. A PERMANENT RECORD containing:
 - 1) Basic identifying information, including the student's name and address, birth date and place, and gender, and the names and addresses of the student's parents;
 - 2) Academic transcript, including grades, class rank, graduation date, grade level achieved, and the unique student identifier assigned and used by ISBE's Student Information System;
 - 3) Attendance record;
 - 4) Health record; and
 - 5) Record of release of permanent record information.The permanent record may also include the following information, if the information is not maintained in the temporary record:
 - 6) Honors and awards received; and
 - 7) Information concerning participation in school-sponsored activities or athletics, or offices held in school-sponsored organizations.

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NO OTHER INFORMATION SHALL BE PLACED IN THE STUDENT PERMANENT RECORD.

The permanent record shall be maintained for not less than sixty (60) years after the student has transferred, graduated or otherwise permanently withdrawn from the District.

B. A TEMPORARY RECORD shall include:

- 1) A record of release of temporary record information;
- 2) Scores received on all State assessment tests administered at the elementary grade levels;
- 3) The completed home language survey form;
- 4) Information regarding serious disciplinary infractions (i.e., those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension or other punishment or sanctions;
- 5) Any final finding report of indicated abuse, pursuant to Section 8.6 of the Abused and Neglected Child Reporting Act;
- 6) Any biometric information that is collected in accordance with Section 10-20.40 of the *School Code*;
- 7) Health-related information, including but not limited to documentation regarding a student athlete's and his or her parents' acknowledgement of the District's concussion policy adopted pursuant to Sections 10-20.53 and 34-18.45 of the *School Code*; and
- 8) Accident reports.

The temporary record may also include:

- 9) Family background information;
- 10) Intelligence test scores, group and individual;
- 11) Aptitude test scores;
- 12) Reports of psychological evaluations including information on intelligence, personality and academic information obtained through test administration, observation, or interviews;
- 13) Elementary and secondary achievement level test results;
- 14) Participation in extracurricular activities including any offices held in school-sponsored clubs or organizations;
- 15) Honors and awards received;
- 16) Teacher anecdotal records;
- 17) Other disciplinary information;
- 18) Special education records;

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- 19) Records associated with plans developed under Section 504 of the Rehabilitation Act of 1973; and
- 20) Any verified reports or information from non-educational persons, agencies or organizations of clear relevance to the education of the student.

Information added to the temporary record shall include the name, signature and position of the person who added such information, and the date of entry. The temporary record shall be maintained for a period of not less than five (5) years after the student has transferred, graduated, or otherwise permanently withdrawn from the District. However, this shall not include situations where the information is maintained anonymously for authorized research, statistical reporting or planning purposes provided that no student or parent can be individually identified from the information maintained.

The principal of each school, or his/her designee, is designated as the official records' custodian of student records for students enrolled at that school. He or she shall be responsible for the maintenance, care, and security of all school student records for those students. The principal or his or her designee shall take all action necessary to assure that school personnel are informed of the provisions of the Illinois School Student Records Act and the regulations of the State Board of Education. He or she shall take all reasonable measures to protect school student records through administrative, technical, and security safeguards against risks, such as unauthorized access, release, or use. The District's Records Clerk shall be in charge of records of students who have transferred, graduated, or have otherwise left the District.

Student records shall be reviewed every four years or upon a student's change in attendance centers, whichever occurs first, to verify entries and to eliminate or correct all out-of-date, misleading, inaccurate, unnecessary or irrelevant information.

Upon graduation, transfer, or permanent withdrawal of a student from the District, the District shall notify the parents/guardians and the student of the destruction schedule for the student permanent record and the student temporary record and of the right to request a copy of such records at any time prior to their destruction. Such notification shall include the date of notification, the parent's name, the name of the records custodian, the name of the student, and the scheduled destruction date of the temporary and permanent records. No student record shall be destroyed unless the written approval of the Local Records Commission is first obtained.

All information maintained in relation to a student receiving special education services shall be directly related to the provision of services to that student. Upon graduation or permanent withdrawal of a student with a disability (as defined in Article 14 of the Illinois School Code (105 ILCS 5/14-1.01, *et seq.*) and the special education regulations at 23 Ill. Admin. Code Part 226), special education records and other information contained in the student temporary record which may be of continued assistance to the student may, after five years, be transferred to the custody of the parent/guardian, or to the student if the student has succeeded to the rights of the parents/guardians. The District shall explain to the student and the parents/guardian the future usefulness of those records.

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Access to Records by Students and Parents/Guardians

The following persons shall be entitled to inspect and review educational records and may do so by completing a request for access/release form and a consent for release of records form and filing the same with the District's Records Clerk.

1. Any student shall be entitled to inspect and copy his or her permanent student record.
2. A student who reaches 18 years of age, graduates from secondary school, marries, or enters military service, shall be entitled to inspect and copy the student's permanent and/or temporary records, unless earlier access is afforded at the discretion of the District.
3. A parent/guardian of a student under age 18 who has not married, graduated from secondary school or entered military service (or such parents/guardian's designated representative) shall be entitled to inspect and copy the student's permanent and/or temporary records. In cases of divorce or separation, both parents shall be so entitled unless the District has been furnished with a certified copy of a court order prohibiting such access. The District shall send copies of the following to both parents at either one's request, unless a court order indicates otherwise:
 - a. Academic progress reports or records;
 - b. Health reports

Notwithstanding any other provision of law, access to school records shall not be denied to a parent of a student for the reason that such parent has not been allocated parental responsibility; however, no parent shall have access to the school records of a student if the parent is prohibited by an order of protection from inspecting or obtaining such records pursuant to the Domestic Violence Act of 1986 or the Code of Criminal Procedure of 1963.

The request shall be complied with as soon as conveniently possible, but in no event more than ten (10) business days from the date of such written request.

Access shall not be granted to the parents/guardians or the student in reference to confidential letters and recommendations concerning applications for employment to a post-secondary educational institution, or the receipt of an honor or award which have been placed in the records prior to January 1, 1975, provided such letters and statements are not used for purposes other than those for which they were specifically intended. Access shall not be granted to such letters and statements entered into the record at any time if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters and statements.

Disclosure of Records

Except as otherwise provided herein, the District shall obtain one of the following forms of dated written consent prior to disclosing any information in a student's education records which is personally identifiable other than directory information.

1. Any student may consent to the release of information contained in his or her permanent student record.

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2. Any student who reaches 18 years of age, graduates from secondary school, marries, or enters military service may consent to the release of information contained in his or her temporary student record.
3. A parent/guardian of a student under age 18 who has not married, graduated from secondary school or entered military service may consent to the release of information contained in the student's permanent and/or temporary records.

Such consent to disclose shall be signed and dated by the parent/guardian or student, designating the person to whom such records may be released, the reason for the release, and the specific records to be released. At the time such consent is requested the District shall inform the parent/guardian or student of their right to inspect, copy, and challenge such records and limit such consent to designated records or portions thereof.

The District shall grant access to education records without consent only as permitted under the Illinois School Student Records Act, the Family Educational Rights and Privacy Act, and/or their implementing regulations, including in the following cases.

1. A certified copy of the records of a student shall be transferred to another school district in which the student has enrolled or intends to enroll upon the request of the records custodian of the receiving school or the student. The request shall be honored within 10 days. The parent/guardian shall be given prior written notice of the nature and substance of the information proposed to be released and an opportunity to inspect, copy, and challenge such information.
2. Pursuant to a court order, in which case the parent/guardian shall be given prompt written notice of the terms of the order, the nature and substance of the information proposed to be released, and an opportunity to inspect, copy, and challenge the information. For purposes of this paragraph, a court order is a document signed by a judge. A subpoena signed by a clerk, an attorney, or an administrative agency official shall not be considered a court order unless signed by a judge. Parents of students who are named in a court order shall be deemed to have received the required written notice. The school will respond to the order no earlier than five school days after its receipt in order to afford parents the opportunity to review, inspect and challenge the records.
3. To an employee or official of the school or the District or the State Board of Education, provided such employee or official has a current, demonstrable educational or administrative interest in the student and the records are in furtherance of such interest.
4. The school shall grant access to information contained in school student records to persons authorized or required by State or Federal law to gain such access. The requesting party must provide appropriate identification and a copy of the statute authorizing such access. The parent/guardian shall be given prior written notice of the nature and substance of the information proposed to be released and an opportunity to inspect, copy, and challenge such information. Such notice shall be sufficient if published in a local newspaper where the proposed release of information relates to more than 25 students.

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5. To any person for the purpose of research, statistical reporting, or planning, provided that no student or parent/guardian 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 relating to school student records.
6. In connection with an articulable and significant threat to the health or safety of the student or others, provided that the parents/guardians shall be notified as soon as possible (but no later than the next school day after the date of the release) of the information released, the date of the release, the person, agency, or organization receiving the information, and the purpose of the release. Factors to be considered in determining whether records should be released pursuant to this paragraph include:
 - a. The seriousness of the threat to the health or safety of the student or other persons.
 - b. The need for such records to meet the emergency.
 - c. Whether the persons to whom such records are released are in a position to deal with the emergency.
 - d. The extent to which time is of the essence in dealing with the emergency.
7. To juvenile authorities (as defined by Section 6(a)(6.5) of the Illinois School Student Records Act), provided that: (a) the information is necessary for the discharge of the juvenile authority's official duties; (b) the information is requested prior to adjudication of the student; and (c) the juvenile authority certifies in writing that the information will not be disclosed to any other party except as provided by law or court order.
8. To a governmental agency, or social service agency contracted by a governmental agency, in furtherance of an investigation of a student's school attendance pursuant to the compulsory student attendance laws of this State, provided that the records are released to the employee or agent designated by the agency.
9. To certain members of the Serious Habitual Offender Comprehensive Action Program (SHOCAP) committee, in accordance with Section 6(a)(10) of the Illinois School Student Records Act.
10. To the Department of Public Aid for the purposes set forth in Section 6(a)(11) of the Illinois School Student Records Act.
11. To the State Board or another State government agency or between or among State government agencies in order to evaluate or audit federal and State programs or perform research and planning, but only to the extent that the release, transfer, disclosure, or dissemination is consistent with the federal Family Educational Rights and Privacy Act.

The records custodian or his/her representative shall be present when records are inspected to answer questions and assure that no records are removed. In addition, the District shall, if requested, provide appropriately trained educational personnel to assist the parent/guardian or student in understanding certain school records such as psychological evaluations, social work profiles, and health data.

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Any disclosure of personal information about a student, whether such disclosure is pursuant to parental or student consent or otherwise, shall be conditioned upon the agreement of the recipient not to permit any other party to have access to the information without further written consent. Such documents may be stamped "Written consent required prior to release to any other person or agency."

Any agency requesting information about students shall be advised of the consent requirements by letter.

Each permanent and temporary record must contain a record of any release of information. Such record of release shall be maintained for the life of the student records and shall be available only to the parent/guardian and official records custodian. It shall include:

1. The nature and substance of the information released;
2. The name and signature of the official records custodian releasing such information;
3. The name of the person requesting such information, the capacity in which such a request has been made, and the purpose of such request;
4. The date of the release; and
5. A copy of any consent to such release.

All rights and privileges accorded to a parent/guardian under this Act shall become exclusively those of the student upon his 18th birthday, graduation from secondary school, marriage, or entry into military service, whichever occurs first.

SEALED RECORDS

To the extent permitted by law, school administration may seal a portion of a student's record upon written request from the student's parent(s)/legal guardian(s) in order to protect a student's rights when their gender identity is different than the gender on their birth certificate. Any records that are sealed will be kept in a white envelope marked "SEALED – TO BE OPENED BY ADMINISTRATION ONLY" and will be kept within the student's record file. Sealed records may only be viewed by (1) administration, (2) by persons with the written authorization of the student's parent(s)/legal guardian(s), or (3) persons otherwise entitled by law to view such records; and will remain sealed for the duration of the student's enrollment. Upon the need for records to be sent to another school, the student's parent(s)/legal guardian(s) will have the sole responsibility of notifying the new school that records will be arriving with a sealed portion. CCSD93 will send records as legally required to a requesting public school including the sealed portion.

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Procedure for Challenging Student Records

A parent or guardian shall have the right to challenge the accuracy, relevance or propriety of any entry in the school student records, exclusive of: (1) academic grades, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring. A challenge may be made in accordance with the following procedures.

1. The challenging party shall inspect the educational records to determine what portions thereof shall be challenged.
2. The challenging party shall file a written Request for Hearing/Challenge to Student Records with the District's Records Clerk, specifying the entry or entries to be challenged and the basis of the challenge.
3. The District's Records Clerk or another representative of the District shall confer with the challenging party within 15 school days to determine whether the challenge is valid and requires an amendment to the educational records and thereafter advise the challenging party of his/her decision.
4. If the Records Clerk decides not to amend the records in accordance with the challenging party's request, the challenging party shall be advised of his right to a hearing before an impartial hearing officer.
5. If a hearing is requested, it shall be held within 15 calendar days of such conference, unless extended by mutual agreement, and the challenging party shall be given notice of the date, place and time reasonably in advance of the hearing.
6. The hearing shall be conducted by an impartial hearing officer who is not employed in the attendance center in which the student is enrolled.
7. The challenging party shall be afforded a full and fair opportunity to present evidence relevant to the issues raised, in accordance with Section 7 of the Illinois School Student Records Act. A tape recorded record of the hearing shall be made or a court reporter provided.
8. The impartial hearing officer shall make his or her determination within 10 school days after the conclusion of the hearing. The decision shall include a summary of the evidence and the reasons for the ruling. The challenging party shall be immediately notified of the decision. It shall be based solely on the information presented at the hearing and shall be one of the following:
 - a. To retain the challenged contents of the student record;
 - b. To remove the challenged contents of the student record; or
 - c. To change, clarify or add to the challenged contents of the student record.
9. If, as a result of the hearing, the District determines the challenged records to be inaccurate, misleading or violative of the rights of the student, such records shall be amended and the challenging party informed of such amendment in writing.

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10. The parents/guardians shall have the right to place in the student's records a statement of reasonable length setting forth their position on any disputed information contained in that record. The District shall include a copy of such statement in any subsequent dissemination of the information in dispute.
11. Any party shall have the right to appeal the decision of the impartial hearing officer to the Superintendent of the Regional Office of Education within 20 school days thereof. The appealing party shall inform the other party of the appeal. Within 10 school days the School District shall forward a transcript of the hearing, a copy of the record entry in question and any other pertinent materials to the Superintendent of the Educational Service Region. The Regional Superintendent will make findings and issue a written decision to the parents/guardians and the school within 20 school days of the receipt of the appeal documents.
12. The decision of the Superintendent of the Regional Office of Education may thereafter be appealed to the Circuit Court of the County in which the school is located.

LEGAL REF.: Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232(g), et seq.); Illinois School Student Records Act (105 ILCS 10/1, et seq.); Illinois Local Records Act, Sec. 7 (50 ILCS 205/7); Illinois School Code, Sec. 10-21.8 (105 ILCS 5/10-21.8); and 23 Ill. Admin. Code Parts 226 and 375; Illinois Marriage and Dissolution of Marriage Act, 750 ILCS 5/602.11.

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