

Van Buren County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Records Use of Records	Descriptor Code: 6.603	Issued Date: 10/14/02
		Rescinds: 6.603	Issued: 06/17/99

1 Authorized school officials will have access to and permit access to student education records for
2 legitimate educational purposes.¹ A "legitimate educational interest" is the official's need to know
3 information in order to:

- 4
- 5 1. Perform required administrative tasks;
- 6
- 7 2. Perform a supervisory or instructional task directly related to the student's education;
- 8
- 9 3. Perform a service or benefit for the student or the student's family such as health care, coun-
10 seling, student job placement, or student financial aid.
- 11

12 Authorized school officials may release information from or permit access to a student's education
13 record without the parent(s) or eligible student's* prior written consent in the following instances:

- 14
- 15 1. To comply with a judicial order or lawfully issued subpoena. The school system will make
16 a reasonable effort to notify the student's parent(s) or the eligible student before making a
17 disclosure;
- 18
- 19 2. If the disclosure is an item of directory information;
- 20
- 21 3. To comply with the requirements of child abuse reports to the extent known by the school
22 officials including the name, address and age of the child, the name and address of the person
23 responsible for the care of the child, and the facts requiring the report;²
- 24
- 25 4. When certain federal and state officials need information in order to audit or enforce legal
26 conditions related to federally-supported education programs in the school system;
- 27
- 28 5. When the school system has entered into a contract or written agreement for an organization
29 to conduct scientific research on the system's behalf to develop tests or improve instruction,
30 provided that the studies are conducted in a manner which will not permit the personal
31 identification of students and their parents by individuals other than representatives of the
32 organization and the information will be destroyed when no longer needed for the purpose
33 for which the study was conducted;³
- 34
- 35 6. To appropriate officials if the parent(s) claim the student as a dependent as defined by the
36 Internal Revenue Code;
- 37
- 38 7. To accrediting organizations to carry out their accrediting functions;
- 39
- 40 8. When a student seeks or intends to enroll in another school district or a post-secondary school.
41 Parent(s) of students or eligible students have a right to obtain copies of records transferred

1 under this provision;⁴

2 9. To financial institutions or government agencies that provide or may provide financial aid to a
3 student in order to establish eligibility, to determine the amount of financial aid, to establish
4 conditions for the receipt of financial aid and to enforce financial aid agreements.

5
6 10. To make the needed disclosure in a health or safety emergency when warranted by the seri-
7 ousness, of the threat to the student of other persons, when the information is necessary and
8 needed to meet the emergency, when time is an important and limiting factor and when the
9 persons to whom the information is to be disclosed are qualified and in a position to deal
10 with the emergency.

11
12 11. To the Attorney General or his designee for official purposes related to the investigation or
13 prosecution of an act of domestic or international terrorism. An educational agency that, in
14 good faith, produces education records in accordance with an order issued under this Act shall
15 not be liable to any person for that production.⁵

16
17 Authorized school officials may release information from a student's education record if the student's
18 parent(s) or the eligible student gives written consent for the disclosure. The written consent must
19 include:

- 20
21 1. A specification of the records to be released;
22 2. The reasons for the disclosure;
23 3. The person, organization, or class of persons or organizations to whom the disclosure is to be
24 made;
25 4. The signature of the parent(s) or eligible student;
26 5. The date of the consent and, if appropriate, a date when the consent is to be terminated. The
27 student's parent(s) or the eligible student may obtain a copy of any records disclosed under
28 this provision.

29
30 The school system will maintain an accurate record of all requests to disclose information from or to
31 permit access to a student's education records. The system will maintain an accurate record of infor-
32 mation it discloses and access it permits. The system will maintain this record as long as it maintains
33 the student's education record.

34
35 The record will include at least:

- 36
37 1. The name of the person or agency that makes the request;
38 2. The interest the person or agency has in the information;
39 3. The date the person or agency makes the request; and
40 4. Whether the request is granted and, if it is, the date access is permitted or the disclosure is
41 made.

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46 Legal References:

- 47 1. USCA 20-1232g; TCA 10-7-503; TCA 10-7-504
48 2. TCA 37-1-403
49 3. TRR/MS 0520-1-9-.14(7)(h)-(k)