

Franklin Special Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Use of Records	Descriptor Code: 6.603	Issued Date: 11/18/13
		Rescinds: 6.603	Issued: 04/14/03

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 1. Perform required administrative tasks;
- 5 2. Perform a supervisory or instructional task directly related to the student’s education;
- 6 3. Perform a service or benefit for the student or the student’s family such as health care, counseling,
7 student job placement, or student financial aid.

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

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

- 1 9. To financial institutions or government agencies that provide or may provide financial aid to a
2 student in order to establish eligibility, to determine the amount of financial aid, to establish
3 conditions for the receipt of financial aid and to enforce financial aid agreements.
4
- 5 10. To make the needed disclosure in a health or safety emergency when warranted by the seriousness,
6 of the threat to the student or other persons, when the information is necessary and needed to meet
7 the emergency, when time is an important and limiting factor and when the persons to whom the
8 information is to be disclosed are qualified and in a position to deal with the emergency.
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- 10 11. To the Attorney General or his designee for official purposes related to the investigation or
11 prosecution of an act of domestic or international terrorism. An educational agency that, in good
12 faith, produces education records in accordance with an order issued under this Act shall not be
13 liable to any person for that production.⁴
14
- 15 12. To any agency caseworker or other representative of a state or local child welfare agency or tribal
16 organization authorized to access the student's educational records when such agencies or
17 organizations are legally responsible for the care and protection of the student.⁵
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19 Authorized school officials may release information from a student's education record if the student's
20 parent(s) or the eligible student gives written consent for the disclosure. The written consent must include:

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- 22 1. A specification of the records to be released;
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- 24 2. The reasons for the disclosure;
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- 26 3. The person, organization, or class of persons or organizations to whom the disclosure is to be
27 made;
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- 29 4. The signature of the parent(s) or eligible student*;
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- 31 5. The date of the consent and, if appropriate, a date when the consent is to be terminated. The
32 student's parent(s) or the eligible student* may obtain a copy of any records disclosed under this
33 provision.
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35 The school system will maintain an accurate record of all requests to disclose information from or to
36 permit access to a student's education records. The system will maintain an accurate record of information
37 it discloses and access it permits. The system will maintain this record as long as it maintains the student's
38 education record.
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40 The record will include at least:

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- 42 1. The name of the person or agency that makes the request;
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- 44 2. The interest the person or agency has in the information;
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- 46 3. The date the person or agency makes the request; and
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- 48 4. Whether the request is granted and, if it is, the date access is permitted or the disclosure is made.

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** The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post secondary school, at which time all of the above rights become the student's right.*

Legal References:

1. USCA 20-1232g; TCA 10-7-503; TCA 10-7-504
2. TCA 37-1-403
3. TRR/MS 0520-1-3-.03(11)(e)
4. USA Patriot Act of 2001 § 507
5. Uninterrupted Scholars Act of 2013