

## **Student Privacy and Records Information**

Student privacy is governed by state law, under the Illinois School Student Records Act and by federal law, under the Family Educational Rights and Privacy Act. The Superintendent is the official records custodian of Whiteside School District #115.

### **Illinois School Student Records Act (ISSRA)**

The following information pertains to the rights and obligations of parents, students, and the school under the Illinois School Student Records Act (ISSRA) Chapter 122, Par. 50-1 et seq. of the Illinois Revised Statutes (1985) and the Rules provided by the Illinois State Board of Education, which can be found at 23 Illinois Administrative Code 375.

1. The student permanent record consists of basic identifying information, academic transcripts, attendance records, accident reports and health records, and records of release of permanent record information. The permanent record will be kept for 60 years after graduation or permanent withdrawal. (ISSRA, Par. 50-2 (e);50-4(e))
2. The student temporary record consists of all information that is of clear relevance to the education of the student, but is not required to be in the student permanent record. It may include family background information, intelligence and aptitude test scores, psychological and personality evaluations, extracurricular information, honors and awards, teacher anecdotal records and conference reports, disciplinary information, verified information from outside people and organizations, medical records, records release information, and special education records.

### **Family Educational Rights and Privacy Act (FERPA) for Elementary and Secondary Institutions**

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's 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.

A parent/guardian or eligible students should submit to the Records Custodian, Principal, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The District official will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected. If the District official to whom the request was submitted does not maintain the records, that official shall advise the parent/guardian or eligible student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading.

A parent/guardian or eligible students may ask Whiteside School District to amend a record that they believe is inaccurate or misleading. They should write the District official responsible for the record, 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/guardian or eligible student, the District will notify the parent/guardian or eligible student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.

3. The right to consent to disclosure of personally identifiable information contained in the parent/guardian or eligible 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 interest. A school official is a person employed by the District in an administrative supervisory, academic, or support staff position (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 contacted to perform a special task (such as an attorney, auditor, medical consultant, collection agent or therapist).

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 responsibilities.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

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, SW  
Washington, D.C. 20202-4605

Directory information may be disclosed without prior notice or consent unless the parent/guardian or eligible student notifies the Records Custodian or other official in writing, within two weeks of receipt of this handbook, that he/she does not want any or all of the directory information disclosed. Directory information includes the student's name, address, grade, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, degrees and rewards received, and the most recent previous educational agency or institution attended.

**Non-custodial parents** have a right to access student records in the absence of a court order to the contrary. A divorce decree, a notarized copy of the decree, or a court order by a judge with the court seal is appropriate and most typical of court orders. A lawyer's letter is not sufficient.

#### **GIVING INFORMATION ON THE TELEPHONE**

1. In general, student record information is never given on the telephone.
2. An exception may be made if the information is in connection with the application for or receipt of financial aid by the student, and the person giving the information is reasonably sure that the person has a legal right to that information.
3. The divulgence of such information by telephone must be recorded in the Record of Access kept with the student's records.