



Purpose and Definition of Student Records

Metropolitan Nashville Public Schools maintain student records to provide for the growth and development of individual students, to provide information to parents and authorized staff, and to provide a basis for the evaluation and improvement of school programs.

A student record is any information directly related to a student which is maintained in writing, film, tape, or any other medium. Distinguished from student records are working notes which remain in the sole possession of the maker. Such notes become a student record when they are made available to another person.

Metropolitan Nashville Public Schools maintain a number of different student records in various locations. The person responsible for a student record is the authorized custodian and shall be responsible directly, and through his immediate superior, for the observance of law, policy, regulations and directives in the collection of information for student records, their maintenance and protection, the proper dissemination of information contained therein, the correction of errors, and the forwarding of records for official purposes when so directed.

A copy of the policy governing student records may be obtained at any Metropolitan Nashville Public School. In addition, a complete list of all records maintained, and locations and authorized custodians, shall be available for inspection at each Metropolitan Nashville Public School.

Disclosure of Student Records

The Metropolitan Nashville Public Schools shall provide parents of students access to official records directly related to the students and must obtain the written consent of parents before releasing personally identifiable data about students from records to other than a specified list of exceptions. Parents and students shall be notified of these rights annually.

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Revision History

Review

A student record shall be considered personally identifiable if it includes any of the following:

- a. The name of a student, the student's parent, or other family member
- b. The address of the student
- c. A personal identifier, such as the student's social security number, student number **or photograph**
- d. A list of personal characteristics which would make the student's identity easily traceable

All Metropolitan Nashville Public Schools keep directory information on students. Such information includes the following: the student's name, address, 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, degrees and awards received, and the most recent previous school attended by the student. No directory of students shall be published for the school system as a whole. Individual schools may elect to publish local school directories for use by the school staff, parents and the student body. No list of students at any grade level shall be distributed to persons other than students, parents and school personnel except as authorized by the Director of Schools upon receipt of a formal, written request. Lists which are authorized may not be used for any other than the approved purpose. Neither may such lists be duplicated or distributed without further authorization.

A parent/legal guardian or eligible student who does not want directory information to be released without prior consent must so notify the local school principal **by October 20 of each new school year.**

"Parent" includes a parent, a guardian, or an individual acting routinely as a parent of a student in the absence of a parent or guardian. It will be presumed that the parent has the authority to exercise these rights unless Metropolitan Nashville Public Schools has been provided with evidence that there is a law or court order governing such matters as divorce, separation or custody, or a legally binding instrument which provides to the contrary.

Written consent of the parent/legal guardian or eligible student (18 years of age or high school graduate) is required for the written or oral disclosure of a personally identifiable student record except when that student's record is requested:

- a. For use by other school officials within the Metropolitan Nashville Public Schools who have a proven and legitimate educational interest as defined by the *Family Educational Rights and Privacy Act*, 34 CFR § 99.31. School officials include:
 1. A person employed by the district as an administrator, supervisor, instructor, or support staff member
 2. A person elected to the School Board
 3. A person employed by or under contract to the district to perform a special task, such as an attorney, auditor, a medical consultant or therapist
- b. A school official has a legitimate educational interest if the official is:

1. Performing a task that is specified in his or her position description or by a contract agreement
 2. Performing a task related to a student's education
 3. Performing a task related to the discipline of a student
 4. Providing a service or benefit relating to the student or student's family, such as health care, counseling, or job placement.
- c. For use by certain authorized representatives of the State and Federal Government (See Section 99.35 of Section 438 of the General Education Provisions Act);
 - d. In connection with a student's application for financial aid;
 - e. In compliance with judicial order or subpoena with the restriction that parents, legal guardian or eligible student be notified prior to compliance with the order;
 - f. By another school or school system outside the Metropolitan Nashville Public Schools to which the student seeks or intends to transfer, upon condition that the parent has an opportunity to receive a copy of the record. (Such copies will be provided at the expense of the parent/legal guardian);
 - g. In the event of a health or safety emergency, according to the following criteria:
 1. The seriousness of the threat to the health or safety of the student or other individuals;
 2. The need for the information to meet the emergency;
 3. Whether the parties to whom the information is disclosed are in a position to deal with the emergency;
 4. The extent to which time is of the essence in dealing with the emergency.
 - h. If required by State law adopted prior to November 19, 1974;
 - i. For use by organizations conducting certain studies on behalf of the school system;
 - j. If required by accrediting organizations to carry out their functions;
 - k. For inspection and review by parents or an eligible student who claims the student as a dependent for income tax purposes.

Written consent to disclose information must specify the records to be disclosed, the reason for disclosure and with whom the record is to be shared. Further, the record may not be disclosed, even with consent, unless the prospective receiver agrees not to permit further disclosure except with written consent.

A record of disclosure shall be kept with the records of each student as long as that student's records are kept. The record of disclosure will indicate all individuals, agencies, or organizations, other than authorized school system staff, which have requested or obtained access to the record, the information disclosed, the purpose for disclosure, the person granting disclosure, and the date. This record of disclosure shall be made available to parents and eligible student for inspection and review upon request. A record of disclosure will not be maintained for school officials, parties with written consent or parties seeking directory information.

Amendment of Student Records

A parent/legal guardian or eligible student has the right to request in writing that the authorized custodian of that student's record amend the record if it is believed to be inaccurate, misleading or in violation of the privacy or other rights of the student. The authorized custodian shall rule on the request to amend and notify the claimant of the decision within a reasonable length of time not to exceed twenty days. Information found to be misleading or otherwise inappropriate shall be expunged from the record by the authorized custodian. If the request to amend is denied, the authorized custodian shall inform the parent/legal guardian or eligible student of the right to a hearing in order to challenge the content of the student's record. The parent/legal guardian or eligible student may request a hearing without waiting for a ruling from the authorized custodian.

The hearing to challenge the content of the student's record must include at least the following elements:

- a. The parent/legal guardian or eligible student shall be given notice of the date, place and time reasonably in advance of the hearing.
- b. The parent/legal guardian or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised, and may be assisted or represented by individuals of his/her choice at his/her expense, including an attorney.
- c. The decision resulting from the hearing shall be written, based solely upon the evidence presented at the hearing, and shall include a summary of the evidence and the reasons for the decision.

If dissatisfied with the results of the hearings, the claimant has the right to enter into the record explanatory or rebuttal material which shall be kept as a part of the challenged record as long as the record is kept and shall be disclosed whenever the contested portion of the record is disclosed.

Transfer of Rights

The described rights of disclosure and requests to amend the student record shall transfer to persons 18 years of age or older, and to high school graduates of any age. The student record of a student who has reached his 18th birthday or graduated from high school may be disclosed to the parent or guardian without consent of that student if that student is a dependent as defined under Section 152 of the Internal Revenue Code of 1954.

Deletion and Disposition of Student Records

No information in a student record may be deleted or destroyed if it is required to be kept by law, or there is a request for access pending. Within these restrictions, the authorized custodian of a student record may at any time delete information or dispose of records which are extraneous, no longer relevant, misleading, inappropriate, or found to be in error.

Lists of Students

No list or lists of pupils at any grade level shall be given to any persons not officially connected with the schools, except as authorized by the Director.

Lists of prospective graduates may be made available upon request to accredited vocational, technical, or educational institutions, National Guard, and the armed services. These lists will be furnished only by the Guidance Division, Pupil Personnel Services.

Requested lists of students from national organizations, such as Beta Club, Future Teachers, Honor Society, etc. may be honored by the local school, but listings shall be of group membership only; class lists shall not be made available.

References and Authority

Family Educational Rights and Privacy Act, 34 CFR § 99.31