

# POLICY SERVICES

## ADVISORY

Volume 37, Number 6

May 2025

Policy Advisory No. 906 .....	Policy IJNDB — Use of Technology Resources in Instruction Regulation IJNDB-R — Use of Technology Resources in Instruction
Policy Advisory No. 907 .....	Policy JLF — Reporting Child Abuse / Child Protection
Policy Advisory No. 908 .....	Policy JR — Student Records Regulation JR-R — Student Records

### Summary

The following Policy Advisories are derived from enactments of the 57<sup>th</sup> Legislature, First Regular Session, 2025. Although the current legislative session has not adjourned, the recently signed bills have implications on planning for school operations. New legislative impacts include updates for mandatory reporting, wireless communication devices and internet access, and expanded parental notice and authorization for school directory information.

### Policy Advisory Discussion

Policy Advisory No. 906	Policy IJNDB — Use of Technology Resources in Instruction Regulation IJNDB-R — Use of Technology Resources in Instruction
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House Bill 2484 added A.R.S. 15-120.05 relating to student access to the internet, student use of wireless communication devices, policies and procedures, annual notice, and definitions for public schools. Policy IJNDB and Regulation IJNDB-R incorporate the new mandates, and headings were added to improve clarity. The regulation also includes an optional section for additional district-specific requirements.

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**Policy Advisory No. 907**

**Policy JLF — Reporting Child Abuse /  
Child Protection**

Senate Bill 1437 amends A.R.S. 13-3620 and A.R.S. 15-514 relating to mandatory reporting. Although Policy JLF already requires Board Members to report conduct involving minors subject to mandatory reporting under A.R.S. 13-3620, additional language has been included to ensure alignment with SB1437. Definitions and headings were added to improve clarity.

**Policy Advisory No. 908**

**Policy JR — Student Records  
Regulation JR-R — Student Records**

House Bill 2514 amends A.R.S. 15-102 and A.R.S. 15-142 relating to parental involvement in schools and student directory information. Policy JR and Regulation JR-R have been updated to ensure compliance with the new requirements. Subheadings were added to the regulation to support clarity and organization.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Dr. Charlotte Patterson, Policy Analyst; Lynne Bondi, Policy Analyst; or Renae Watson, Policy Technician. Our e-mail addresses are, respectively, [cpatterson@azsba.org], [lbondi@azsba.org] and [rwatson@azsba.org]. You may also fax information to (602) 254-1177.

**Note: This material is written for informational purposes only, and not as legal advice. You may wish to review the policy references and consult an attorney for further explanation.**

## **ADVISORY 906**

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**IJNDB ©  
USE OF TECHNOLOGY RESOURCES  
IN INSTRUCTION**

**Appropriate Use of Electronic  
Information Services**

The District may provide electronic information services (EIS) to qualified students, teachers, and other personnel who attend or who are employed by the District. Electronic information services include networks (e.g., LAN, WAN, Internet), databases, cloud-based systems, and any computer-accessible source of information, whether from hard drives or other electronic sources. The use of the services shall be in support of education, research, and the educational goals of the District. To assure that the EIS is used in an appropriate manner and for the educational purposes intended, the District will require anyone who uses the EIS to follow its guidelines and procedures for appropriate use. Anyone who misuses, abuses, or chooses not to follow the EIS guidelines and procedures will be denied access to the District's EIS and may be subject to disciplinary and/or legal action.

The Superintendent shall determine steps, including the use of an Internet filtering mechanism, that must be taken to promote the safety and security of the use of the District's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Technology protection measures shall protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to use of computers by minors, harmful to minors. Safety and security mechanisms shall include online monitoring activities.

**Inappropriate Use of Electronic  
Information Services**

As required by the Children's Internet Protection Act and A.R.S. 15-120.05, the prevention of inappropriate network usage includes unauthorized access, including "hacking," and other unlawful activities; unauthorized disclosure, use and dissemination of personal identification information regarding minors; and student use of wireless communication devices.

It is the policy of the Board to:

- A. prevent user access over the District's computer network, or transmissions of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;
- B. Limit the use of wireless communication devices and access to social media networks by students during the school day;

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~~B. C.~~ prevent unauthorized access and other unlawful online activity;

~~C. D.~~ prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and

~~D. E.~~ comply with the Children's Internet Protection Act [P.L. No. 106-554 and 47 U.S.C. 254(h)] and A.R.S. 15-120.05.

Each user will be required to sign an EIS user's agreement. The District may log the use of all systems and monitor all system utilization. Accounts may be closed and files may be deleted at any time. The District is not responsible for any service interruptions, changes, or consequences. The District reserves the right to establish rules and regulations as necessary for the efficient operation of the electronic information services.

The District does not assume liability for information retrieved via EIS, nor does it assume any liability for any information lost, damaged, or unavailable due to technical or other difficulties.

### **Generative Artificial Intelligence Programs**

The proper use of Artificial Intelligence (AI) programs can be effective at enhancing student learning and can prepare students with the competencies and knowledge needed in the digital age. Its use should also be guided by responsible and ethical considerations, including mitigating bias, promoting transparency, and providing AI benefits to all students. Use of AI programs in the classroom should be approved by the site administrator or Superintendent, and teachers' instructions and expectations should guide the classroom use of AI. Teachers should include relevant lessons on correct and responsible use of AI, and students should be taught standards regarding plagiarism and source citation and should use these guidelines if AI is used for a school assignment. AI use should be guided and monitored by teachers and/or administrators and should align with the District's guidelines and policies, including any relevant student rules/responsibilities. AI resources should be available to all students, including those with disabilities and English language learners. Use of an AI system should comply with the Family Educational Rights and Privacy Act (FERPA) and should support data privacy and security.

### **Filtering and Internet Safety**

As required by the Children's Internet Protection Act, the District shall provide for technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or, with respect to use of the computers by students, harmful to students. The protective measures shall also include monitoring the online activities of students.

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Limits, controls, and prohibitions shall be placed on student:

- A. Access to inappropriate matter.
- B. Safety and security in direct electronic communications.
- C. Unauthorized online access or activities.
- D. Unauthorized disclosure, use and dissemination of personal information.

### **Education, Supervision and Monitoring**

It shall be the responsibility of all District employees to be knowledgeable of the Board's policies and administrative guidelines and procedures. Further, it shall be the responsibility of all employees, to the extent prudent to an individual's assignment to educate, supervise, and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, ~~and~~ the Protecting Children in the 21st Century Act, and A.R.S. 15-120.05.

The Superintendent shall provide for appropriate training for District employees and for students who use the District's computer network and have access to the Internet. Training provided shall be designed to promote the District's commitment to:

- A. the standards and acceptable use of the District's network and Internet services as set forth in District policy;
- B. student safety in regards to use of the Internet, appropriate behavior while using, but not limited to, such things as social ~~networking Web sites~~ media platforms, online opportunities and chat rooms; and cyberbullying awareness and response; and compliance with E-rate requirements of the Children's Internet Protection Act. Teachers are allowed to give students access to social media platforms to the extent necessary for educational purposes.

### **Wireless Communication Devices**

Districts shall limit student use of wireless communication devices during the school day except if any of the following apply:

- A. for educational purposes, as directed by the student's teacher.

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B. during an emergency.

C. The student needs the student's wireless communication device because the student has a medical condition.

Procedures shall include guidelines for a student's parent to contact the student during the school day and for a student to contact the student's parent during the school day.

While training will be subsequently provided to employees under this policy, the requirements of the policy are effective immediately. Employees will be held to strict compliance with the requirements of the policy and the accompanying regulation, regardless of whether training has been given.

The Superintendent is responsible for the implementation of this policy and for establishing and enforcing the District's electronic information services guidelines and procedures for appropriate technology protection measures (filters), monitoring, and use.

### **Parent Notification**

At the beginning of each school year, pParents, teachers and students will be notified of the policies regarding the use of technology and the Internet while at school. The District shall provide to parents, teachers and students a copy of the adopted policies and notify the parents, teachers and students of any changes to the policy.

Parents will also be notified of their ability to prohibit the student from the use of technology and the Internet while at school in which covered information may be shared with an operator pursuant to A.R.S. 15-1046. This does not apply to software or technology that is used for the daily operations or administration of a local education agency or Arizona Online instruction programs authorized pursuant to A.R.S. 15-808.

### **Definitions:**

A. "School day" means periods of time when students are at school, including meals, passing periods and recess.

B. "Social media platform" means a website, computer application or other digital platform that is used for social networking and creating or exchanging virtual content.

C. "Wireless communication devices" includes personal devices and devices that are provided by the school.

Adopted: \_\_\_\_\_

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LEGAL REF.:

A.R.S.

13-2316

13-3506.01

13-3509

15-120.05

15-341

15-808

15-1046

34-501

34-502

20 U.S.C. 1232g, the Family Educational Rights and Privacy Act

20 U.S.C. 1232h, the Protection of Pupil Rights Amendment

20 U.S.C. 1400 *et seq.*, Individuals with Disabilities Education Act

20 U.S.C. 6301 *et seq.*, Every Student Succeeds Act of 2015

20 U.S.C. 9134, The Children's Internet Protection Act

47 U.S.C. 254, Communications Act of 1934 (The Children's  
Internet Protection Act)

16 CFR Part 312, Children's Online Privacy Protection Rule (COPPA)



IJNDB-R ©

REGULATION

**USE OF TECHNOLOGY RESOURCES  
IN INSTRUCTION**

**(Safety and use of Electronic  
Information Services)**

Use of the electronic information services (EIS) requires that the use of the resources be in accordance with the following guidelines and support the education, research, and educational goals of the District. Filtering, monitoring, and access controls shall be established to:

A. Limit access by minors to inappropriate matter on the Internet and World Wide Web.

B. Limit the use of wireless communication devices by students during the school day.

~~B. C.~~ Monitor the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.

~~C. D.~~ Monitor for unauthorized access, including so-called "hacking," and other unlawful activities by minors online.

~~D. E.~~ Restrict access by minors to materials harmful to minors.

**Content Filtering**

A content filtering program or similar technology shall be used on the networked electronic information services (EIS) as well as on standalone computers capable of District authorized access to the Internet. The technology shall at a minimum limit access to obscene, profane, sexually oriented, harmful, or illegal materials. Should a District adult employee have a legitimate need to obtain information from an access-limited site, the Superintendent may authorize, on a limited basis, access for the necessary purpose specified by the employee's request to be granted access.

**Education, Supervision, and  
Monitoring**

It is the responsibility of all District employees to be knowledgeable of the Board's policy and administrative regulations and procedures related to the use of technology resources. Employees are further responsible, to the extent prudent to an individual's assignment, to educate, supervise, and monitor student use of the District's online computer network. District, department, and school administrators shall provide employees with appropriate in-servicing and assist employees with the implementation of Policy IJNDB.

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As a means of providing safety and security in direct electronic communications and to prevent abuses to the appropriate use of electronic equipment, all computer access to the Internet through the District electronic information services (EIS) or standalone connection shall be monitored periodically or randomly through in-use monitoring or review of usage logs.

### **Access Control**

Individual access to the EIS shall be by authorization only. Designated personnel may provide authorization to students and staff who have completed and returned an electronic information services user agreement. The Superintendent may give authorization to other persons to use the EIS.

### **Acceptable Use**

Each user of the EIS shall:

- A. Use the EIS to support personal educational objectives consistent with the educational goals and objectives of the School District.
- B. Agree not to submit, publish, display, or retrieve any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material.
- C. Abide by all copyright and trademark laws and regulations.
- D. Not reveal home addresses, personal phone numbers or personally identifiable data unless authorized to do so by designated school authorities.
- E. Understand that electronic mail or direct electronic communication is not private and may be read and monitored by school employed persons.
- F. Not use the network in any way that would disrupt the use of the network by others.
- G. Not use the EIS for commercial purposes.
- H. Follow the District's code of conduct.
- I. Not attempt to harm, modify, add, or destroy software or hardware nor interfere with system security.
- J. Understand that inappropriate use may result in cancellation of permission to use the electronic information services (EIS) and appropriate disciplinary action up to and including expulsion for students.

In addition, acceptable use for District employees is extended to include requirements to:

- A. Maintain supervision of students using the EIS.
- B. Agree to directly log on and supervise the account activity when allowing others to use District accounts.
- C. Take responsibility for assigned personal and District accounts, including password protection.
- D. Take all responsible precautions, including password maintenance and file and directory protection measures, to prevent the use of personal and District accounts and files by unauthorized persons.
- E. Pursuant to A.R.S. 15-120.05, teachers may grant access to social media networks for educational purposes.

Each user will be required to sign an EIS user agreement. A user who violates the provisions of the agreement will be denied access to the information services and may be subject to disciplinary action. Accounts may be closed and files may be deleted at any time. The District is not responsible for any service interruptions, changes, or consequences.

Details of the user agreement shall be discussed with each potential user of the electronic information services. When the signed agreement is returned to the school, the user may be permitted use of EIS resources through school equipment.

### **Wireless Communication Device Guidelines**

Students must follow all District rules and procedures for the use of wireless communication devices.

### **Acceptable Use**

Students may use wireless communication devices:

- A. for educational purposes, as directed by the student's teacher
- B. during an emergency; and/or as needed for a medical condition.
- C. With permission from a teacher or staff member, a student may contact their parent/legal guardian using the student's cellular telephone.

**Insert optional District language here regarding additional District-level requirements.**

# ADVISORY 907

**JLF ©  
REPORTING CHILD ABUSE /  
CHILD PROTECTION**

**Mandatory Reporting**

Any school personnel, including substitute teachers and any member of a school district governing board or charter school governing body, or any other person who has responsibility for the care or treatment of a minor and who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted upon the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature or who reasonably believes there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant who is protected under A.R.S. 36-2281 shall immediately report or cause reports to be made of such information to a peace officer or to the Department of Child Safety (DCS) of the Department of Economic Security, except if the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only. Such reports shall be made immediately either electronically or by telephone. A report to a school resource officer or a school safety officer does not satisfy the reporting requirements of A.R.S. 13-3620.

When a report is received by a school resource officer or school safety officer, the officer shall immediately notify a law enforcement agency in the appropriate jurisdiction and shall submit to the local law enforcement agency all information relating to the report for the purposes of the law enforcement agency investigating the reported conduct.

The Arizona Department of Economic Security, Division of Children, Youth and Families, has determined that all mandated reporters may now electronically submit non-emergency reports via a secure online reporting website. Non-emergency reports are those in which a child is not at immediate risk of abuse or neglect that could result in serious harm. Mandated reporters will be able to submit non-emergency reports twenty-four (24) hours a day without wait times.

All reports made via the online website will *require the person making the report (reporting source) to provide contact information*. A representative from the Child Abuse Hotline may contact the source for additional information, if necessary. This process will make it more convenient to meet the mandated reporting requirements and help ensure child safety.

All *emergency situations* where a child faces an immediate risk of abuse or neglect that could result in serious harm *must* still be reported by calling 911 or 1-888-SOS-CHILD (1-888-767-2445). If a reporting source is unsure as to whether or not the report is an emergency situation, the reporting source should call the Child Abuse Hotline to make a report.

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Any concerns for the safety of a child due to abuse, neglect or abandonment, *must be reported*, by:

Calling 1-888-SOS-CHILD (1-888-767-2445),

TDD: 602-530-1831 (1-800-530-1831), or

Submitting *non-emergency* concerns via the Online Reporting Service at <https://dcs.az.gov/about/contacts>.

Pursuant to A.R.S. 13-3620, such reports shall contain, if known:

- A. The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.
- B. The minor's age and the nature and extent of the minor's abuse, child abuse, or physical injuries or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.
- C. Any other information that such person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or neglect.

A person who furnishes a report, information, or records required or authorized under Arizona Revised Statutes or a person who participates in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under Arizona Revised Statutes is immune from any civil or criminal liability by reason of that action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

### **Interviewing Requirements**

A student who is identified as a potential victim of a reportable offense may be interviewed only as provided by the local county protocol that is adopted pursuant to A.R.S. 8-817. This does not prevent a school safety officer or a school resource officer from either:

- A. receiving a voluntary report of a reportable offense from a student who is an alleged victim.
- B. asking a student minimal follow-up questions that are necessary and authorized by the county protocol.

### **Reporting Not Required**

A report is not required under A.R.S. 13-3620 for conduct prescribed by A.R.S. 13-1404 and 13-1405 if the conduct involves only minors who are fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and there is nothing to indicate that the conduct is other than consensual.

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A report is not required if a minor is of elementary school age, the physical injury occurs accidentally in the course of typical playground activity during a school day, occurs on the premises of the school that the minor attends and is reported to the legal parent or guardian of the minor and the school maintains a written record of the incident. The school will maintain a written record of the physical injury as part of the student's health file as required by Arizona State Library, Archives and Public Records (ASLAPR).

### **Failure to Report**

A person who fails to report abuse as provided in A.R.S. 13-3620 is guilty of a Class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a Class 6 felony.

Any certificated person or Governing Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements of A.R.S. 13-3620 shall report or cause reports to be made to the Department of Education in writing as soon as is reasonably practicable but not later than three (3) business days after the person first suspects or receives an allegation of the conduct.

Any person who is employed as the immediate or next higher-level supervisor to or administrator of a person who is statutorily required to report is not required to report if the supervisor or administrator reasonably believes that the report has been made by the person who is required to report.

Any school employee who has orally reported to DCS or a peace officer a reasonable belief of an offense to a minor must provide written notification to the principal of the oral report not later than the next workday following the making of the report.

### **Posting Requirements**

Each school that is operated by a school district and each charter school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign that contains all of the following:

- A. In boldfaced type, the telephone number of the centralized intake hotline concerning suspected abuse and neglect of children that is established pursuant to A.R.S. 8-455.
- B. Instructions to call 911 for emergencies.
- C. Directions for accessing the website of the Department of Child Safety for more information on reporting child abuse, child neglect and the exploitation of children.

## **Definitions**

*School Safety Officer:* a peace officer who is working in an off-duty capacity at a school. [A.R.S. 15-514]

*School Resource Officer:* A peace officer or a full-authority reserve peace officer who is certified by the Arizona Peace Officer Standards and Training Board (AZPOST). [A.R.S. 15-154]

*Peace Officer:* “Peace officers” means sheriffs of counties, constables, marshals, policemen of cities and towns, commissioned personnel of the department of public safety, personnel who are employed by the state department of corrections and the department of juvenile corrections and who have received a certificate from the Arizona Peace Officer Standards and Training Board (AZPOST). [A.R.S. 1-215]

Adopted: \_\_\_\_\_

### LEGAL REF.:

A.R.S.

1-215

8-201

13-1404 *et seq.*

13-1410

13-3019

13-3212

13-3506

13-3506.01

13-3552

13-3553

13-3608

13-3619

13-3620

13-3623

15-154

15-160.01

15-514

46-451

46-454

### CROSS REF.:

GBEB - Staff Conduct

GBEBB - Staff Conduct With Students

JKA - Corporal Punishment

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## **ADVISORY 908**

**JR ©  
STUDENT RECORDS**

Required student records (regular and special education) will be prepared in a manner consistent with state and federal laws, the requirements of the Arizona Uniform System of Financial Records (USFR) and those of the Arizona Department of Libraries, Archives and Public Records. Retention periods and disposition of records shall be as specified in the USFR, the Arizona Department of Library Archives and Public Records and relevant federal statutes and regulations.

The District will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA), the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT), and the Every Student Succeeds Act of 2015 (ESSA) in the establishment, maintenance, correction, and disposition of student records.

The Board directs the Superintendent to establish procedures for such compliance, including informing parents, students, and the public of the contents. The Superintendent will implement procedures as required by law and will establish procedures for dealing with violations.

If a parent or eligible student believes that the District is violating the FERPA, that person has a right to file a complaint with the U.S. Department of Education. The address is:

The Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
Telephone number: (202) 260-3887

In adopting this policy, it is the intent of the Board that the policy and related procedures be implemented immediately. Copies of the policy and procedures will be available for parent and eligible student review in the District office.

**Confidentiality**

The right to inspect and review education records and the release of or access to such records, other information, or instructional materials will be consistent with federal law in the Family Educational Rights and Privacy Act, Title 20, United States Code, sections 1232g and 1232h, the USA PATRIOT ACT, ESSA and with federal regulations issued pursuant to such act.

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## Annual Notification

Within the first three (3) weeks of each school year, the District will publish in a District communication a notice to parents and eligible students of their rights under the FERPA and this procedure. This notice will also be provided to each parent of new students enrolling after school begins [34 C.F.R. 99.7]. The District will arrange to provide translation of the notice to non-English-speaking parents in their native language or mode of communication [34 C.F.R. 300.9]. The notice shall inform the parents of:

- A. The right of the parent or an eligible student to inspect and review the student's education records.
- B. The intent of the District to limit the disclosure of personally identifiable information contained in a student's education records, including disciplinary records, except by the prior written consent of the parent or eligible student or under certain limited circumstances as permitted by the FERPA, the USA PATRIOT Act or the ESSA.
- C. The right of the parent or eligible student to seek to correct parts of the school education records that the student or the parent believes to be inaccurate, misleading, or in violation of student rights. This right includes the right to a hearing to present evidence that the record should be changed if the District decides not to alter it according to the parent's or eligible student's request.
- D. The right of the parent or eligible student to file a complaint with the U.S. Department of Education if they believe the District has violated the FERPA.

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act (FERPA) and this procedure [34 C.F.R. 99.7 and 300.613]. The notice shall also include:

- A. The procedure for exercising the right to inspect and review education records.
- B. The procedure for requesting amendments of education records that the parent or eligible student believe to be inaccurate, misleading or otherwise a violation of the student's privacy rights.
- C. The conditions when prior consent is not required, the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

**Directory Information:**

A. Except as provided in subsection B of A.R.S. 15-142, a school may *only* disclose directory information relating to students, in accordance with state and federal law, if the school first notifies the parent or eligible student of all of the following:

1. The types of information that the school has designated as directory information.
2. The right of the parent or eligible student to refuse the school's designation of any or all of the types of information about the student as directory information.
3. The period of time within which a parent or eligible student must notify the school in writing that the parent or eligible student does not want any or all of the types of information about the student designated as directory information.

B. Except as required by state or federal law, a school may not disclose the address, telephone number or e-mail address of a student unless either:

1. The parent or eligible student has affirmatively consented in writing to the disclosure; or
2. The parent or eligible student has not opted out of the disclosure pursuant to subsection A of A.R.S. 15-142 and the disclosure is either:
  - a. To one (1) or more students who are enrolled in the school and for educational purposes; or
  - b. To school employees and for school business purposes.

If the School District ~~permits~~ allows the release of directory information relating to ~~pupils~~ students, subject to subsections A and B of A.R.S. 15-142, the information shall be released on or before October 31 of each year.

The Superintendent shall develop procedures to communicate to students and their parents ~~in a timely manner~~ information relating to access to the Arizona Department of Education form which is designed to allow ~~pupils~~ parents and eligible students to request that directory information not be released pursuant to the Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act of 2015 (ESSA).

**Definition**

For the purposes of this section, "eligible student" means a student who is at least eighteen (18) years of age or is emancipated.

Adopted: \_\_\_\_\_

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LEGAL REF.:

A.R.S.

15-141

15-142

15-828

15-829

25-403.06

44-1373

10 U.S.C. 503

20 U.S.C. 1232

20 U.S.C. 1400 *et seq.*, Individuals with Disabilities Education Act

20 U.S.C. 6301 *et seq.*, Every Student Succeeds Act of 2015

20 U.S.C. 7908

34 C.F.R. 300

CROSS REF.:

IHB - Special Instructional Programs

JF - Student Admissions

JFAB - Admission of Nonresident Students

JLH - Missing Students

JRCA - Request for Transfer of Records

**JR-R ©**

**REGULATION**

**STUDENT RECORDS**

This ~~procedure~~ regulation is designed to meet the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities in Education Act (IDEA). All personnel in the District are expected to fulfill the requirements of policy and the following procedures in order to protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages [34 C.F.R. 300.612].

The Superintendent has the responsibility for ensuring the confidentiality of any personally identifiable information [34 C.F.R. 300.612].

All rights and protections given parents under the FERPA and this ~~procedure~~ regulation transfer to the student upon reaching age eighteen (18) except where the student continues as a dependent under specified circumstances, or enrolling in a postsecondary school. The student then becomes an "eligible student" [34 C.F.R. 99.5 and 300.625].

**Definitions**

For the purpose of ~~this procedure~~ regulation, the District has used the following definitions of terms:

- A. *Student* - Any person who attends or has attended a program of instruction sponsored by the District and for whom the District maintains education records.
- B. *Eligible student* - A student who ~~has reached age~~ is at least eighteen (18) years of age or is ~~attending a postsecondary school~~ emancipated.
- C. *Parent* - Either the natural parent of a student, unless the parent's rights under the FERPA have been removed by a court order, statute, or other legal document, or a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian. The District may presume that the parent has the authority to inspect and review education records relating to his or her child unless the District has been advised that the parent does not have authority under applicable law.
- D. *Education records* - Any information directly related to a student recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm or microfiche, that is maintained by the District, an employee of the District, or any agent of the District except:

1. Personal records kept by an employee of the District that meets the following tests:
  - a. It is used only as a personal memory aid.
  - b. It is kept in the personal possession of the individual who made it.
  - c. It is not accessible and has never been revealed to any other person except the employee's temporary substitute.
2. Medical treatment records maintained for "eligible students."
3. Records collected and maintained by a law enforcement unit of the school.
4. Records containing only information about a person after that individual is no longer a student in the District.
5. An employment record that is used only in relation to a student's employment by the District. (*Employment for this purpose does not include activities for which a student receives a grade or credit in a course.*)
6. Related alumni records after the student no longer attends classes provided by the District, and the records do not relate to the person as a student.

E. *Personally identifiable information* - Any data or information that makes the subject of a record known. This includes the student's name, the name(s) of the student's parent(s) or other family member(s), the student's address, the student's Social Security number, a student number, a list of personal characteristics, or other information that would make the student's identity easily traceable.

F. *Signed and dated written consent* - May include a record and signature in electronic form that:

1. Identifies and authenticates a particular person as the source of the electronic consent.
2. Indicates such person's approval of the information contained in the electronic consent.

### **Locations of Education Records**

A list of types and locations of education records collected, maintained, or used will be provided to the parents on request [34 C.F.R. 300.616]. See Exhibit JR-EA.

## **Procedure to Inspect Education Records**

Parents of a student, the designated representative of the parents, and an eligible student may inspect and review the student's education records that are collected, maintained, or used by the District [34 C.F.R. 300.501]. In some circumstances it may be mutually more convenient for the record custodian to provide copies of records. Charges for the copies of records will be costs of copying unless the fee would effectively prevent the parent from exercising rights to inspect and review those records [34 C.F.R. 300.613 and 300.617].

Since a student's records may be maintained in several locations, the school principal will offer to collect copies of records or the records themselves from locations other than a student's school so they may be inspected at one (1) site. However, if parents and eligible students wish to inspect records where they are maintained, the school's principal will make every effort to accommodate their wishes.

Parents, the designated representative of the parents, or the eligible student should submit to the student's school principal a signed and dated written request that identifies as precisely as possible the record or records wanted for inspection. The District will respond to any request without unnecessary delay before any meeting regarding any individual education program or hearing relating to the identification, evaluation, placement of a student, or the provision of a free appropriate public education, and in no case more than forty-five (45) days after the request has been made [34 C.F.R. 300.613 and 99.10]. See Exhibit JR-ED.

The principal, or other education records custodian, will contact the parent of the student or the eligible student to discuss how access will be best arranged (e.g., copies, at the exact location, or records brought to a single site).

Parents have the right, upon reasonable request, for explanations and interpretations of the information contained in the records and a right to request copies of the records containing the information, if not in violation of stated policy of FERPA. Parents have the right to have a representative of the parent to inspect and review the records [34 C.F.R. 300.613 and 99.10].

The principal, or other education records custodian, will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in forty-five (45) days or less after receipt of the request for access [34 C.F.R. 300.613].

If for any valid reason, such as working hours, distance between record location sites, or health, the parent or eligible student cannot personally inspect and review a student's education records, the District will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records [34 C.F.R. 300.613 and 99.10].

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When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students [34 C.F.R. 300.615, 99.5 and 99.12].

### **Fees for Copies of Records**

All records subject to disclosure under this procedure shall be available for inspection free of charge. If copies are desired, they shall be furnished by the District to the parent or eligible student on request and free of charge. Additional copies may be sent to other schools or agencies without charge. However, the District reserves the right to charge up to thirty-five cents (35¢) per page for multiple or excessive requests. Copies of available records shall be produced as promptly as possible upon receipt of the request. No fee will be charged for search and retrieval of records [34 C.F.R. 300.617 and 99.11].

The District will provide copies of records:

- A. When the refusal to provide copies effectively denies access to the records by the parent or eligible student [34 C.F.R. 300.617].
- B. At the request of the parent or eligible student, when the District has provided the records to third parties by the prior consent of the parent or eligible student.
- C. At the request of the parent or eligible student when the District has forwarded the records to another school where the student seeks or intends to enroll.

### **Directory Information**

#### **Personally Identifiable Information**

The District designates the following personally identifiable information contained in a student's education records as "directory information" and may disclose that information without prior written consent [20 U.S.C. 1232g(a)(5)(A)]:

- A. The student's name.
- B. The student's address.
- C. The student's telephone listing.
- D. The student's date and place of birth.
- E. The student's electronic mail address.
- F. The student's photograph.

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- G. The student's grade level.
- H. The student's major field of study.
- I. The student's dates of attendance.
- J. The student's enrollment status (e.g., part time or full time).
- K. The student's participation in officially recognized activities and sports.
- L. The student's weight and height if a member of an athletic team.
- M. The student's honors and awards received.
- N. The student's most recently attended educational agency or institution.

Within the first three (3) weeks of each school year the District will publish in a District communication or send home with each student the above list, or a revised list, of the items of directory information designated as directory information. For a student who enrolls after the notice is published, the list will be given to the parent or eligible student at the time and place of enrollment. See Exhibit JR-EB.

After the parents or eligible student have been notified, they will have two (2) weeks to advise the District in writing (a letter to the Superintendent's office) of any or all of the items they refuse to permit the District to designate as directory information about that student.

According to state and federal law if the Governing Board permits the release of directory information relating to students to persons or organizations who inform students of educational or occupational opportunities, then the Governing Board shall provide access to directory information on the same basis to military official recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them.

### **Refusal to Release Personally Identifiable Information**

Directory information shall be released on or before October 31 of each year unless the parent or eligible student requests in writing to the District (a letter to the Superintendent's office within two [2] weeks after notification) not to release directory information to any person or organization without prior signed and dated written consent. The District shall distribute a form, separate from any other form, designed and provided to districts by the Arizona Department of Education allowing ~~pupils~~ students to request that directory information not be released. If the District distributes materials to ~~pupils~~ students through electronic communication or on an internet website, the form may be distributed in the same manner.

A person who is wrongfully denied access to directory information or access to school buildings, school grounds or other property may notify the Department of Education, which shall report the alleged violation to the United States Department of Education. If the parent or eligible student refuses to allow the release of directory information without prior signed and dated written consent, then the District will not provide military recruiters, upon request, directory information containing the student's name, addresses and telephone listings.

**Permission to Release Personally  
Identifiable Information**

At the end of the two (2)-week period, if the parent or eligible student has not returned the form indicating refusal to allow the release of directory information, the District will assume it has their permission to release the above-mentioned information. The Governing Board shall provide the student with a transcript release form that allows the student to designate in separate check boxes whether the transcript is to be released to postsecondary institutions, the militia of this state or the armed services of the United States, or to any combination of these entities.

This designation will remain in effect until it is modified by the prior signed and dated written direction of the parent or eligible student. The student's records will be appropriately marked by the records custodian to ensure compliance with the parents' or eligible student's request.

**Use of Student Education  
Records**

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The District will use the following criteria to determine who are school officials [34 C.F.R. 99.31]:

- A. A person duly elected to the Board (under limited circumstances).
- B. A person certificated by the state and appointed by the Board to an administrative or supervisory position.
- C. A person certificated by the state and under contract to the Board as an instructor.
- D. A person employed by the Board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of such performance as a substitute.
- E. A person employed by or under contract to the Board to perform a special task, such as a secretary, a clerk, the Board attorney, or auditor, for the period of such performance as an employee or contractor.

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District officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so [34 C.F.R. 99.32]. A "legitimate educational interest" is the person's need to know in order to:

- A. Perform an administrative task required in the school employee's position description approved by the Board.
- B. Perform a supervisory or instructional task directly related to the student's education.
- C. Perform a service or benefit for the student or the student's family, such as health care, counseling, student job placement, or student financial aid.

Records of students placed in special educational programs will be under the direct supervision of the program administration. All persons collecting or using personally identifiable information in records of students determined to be a student with a disability will receive training or instruction regarding Arizona's policies and procedures for the protection of these records at the collection, storage, disclosure, and destruction stages in accordance with FERPA and IDEA [34 C.F.R. 300.623].

The District will maintain for public inspection a current listing of the names and positions of employees who have access to personally identifiable information maintained on students placed in special education [34 C.F.R. 300.623]. When the information maintained in these records is no longer needed to provide educational services to the student, the District will notify the parents of their right to have the personally identifiable information destroyed [34 C.F.R. 300.624]. However, a permanent record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed will be maintained [34 C.F.R. 300.624]. Destruction of records will be accomplished in accordance with the requirements of Arizona law and regulations of the Department of Library, Archives, and Public Records [34 C.F.R. 300.623].

The District will release information from or permit access to a student's education records only with a parent's or eligible student's prior signed and dated written consent, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure [34 C.F.R. 99.30, 99.31, 99.34, and 99.37]:

- A. When a student seeks or intends to enroll in another school district or a postsecondary school the District will not further notify parents or eligible students prior to such a transfer of records. Parents and student have a right to obtain copies of records transferred under this provision. See Exhibit JR-EC.

B. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District.

C. To parties who provide or may provide financial aid to a student to:

1. Establish the student's eligibility for the aid.
2. Determine the amount of financial aid.
3. Establish the conditions for the receipt of the financial aid.
4. Enforce the agreement between the provider and the receiver of financial aid.

D. If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials.

E. If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials of the juvenile justice system and the officials certify in writing that the information will not be disclosed to any other party, except as provided under state law, without prior signed and dated written consent of the parent or the eligible student.

F. When the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid, or improve instruction.

G. To accrediting organizations to carry out their accrediting functions.

H. To parents of an eligible student if the parents claim the student as a dependent as defined by the Internal Revenue Code of 1954.

I. To comply with a judicial order or lawfully issued subpoena. The District will make a reasonable effort to notify the parent or the eligible student before making a disclosure under this provision unless directed otherwise by a court of competent jurisdiction.

J. To comply with an *ex parte* order from a court of competent jurisdiction requiring the District to permit the U.S. Attorney General or U.S. Attorney General's designee to collect education records in the possession of the District that are relevant to an authorized investigation or prosecution of an offense listed in 18 U.S.C. 2332b(g)(5)(B) for an act of domestic or international terrorism as defined in 18 U.S.C. 2331. An *ex parte* order is an order issued by a court of competent jurisdiction without notice to the adverse party. A disclosure pursuant to an *ex parte* order will not be recorded as a disclosure of information from a student's education records by the District.

K. If the District initiates legal action against a parent or student, the District may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the District to proceed with the legal action.

L. If a parent or eligible student initiates legal action against the District, the District may, without a court order or subpoena, disclose the student's education records that are relevant for the District to defend itself.

M. To comply with the request of authorized law enforcement officials conducting an investigation of acts of terrorism.

N. The disclosure is in connection with a health or safety emergency. Time is an important and limiting factor in determining whether the disclosure is in connection with a health or safety emergency. The District will permit any school official to make the needed disclosure from student education records in a health or safety emergency if:

1. The official deems the disclosure is warranted by the seriousness of the threat to the health or safety of the student or other persons.
2. The information is necessary and needed to address the emergency.
3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency.

O. The District may release student attendance, disciplinary, and other education records to a law enforcement agency and county attorney pursuant to an intergovernmental agreement between the District, the law enforcement agency, the county attorney, and other state, local, or tribal government agencies to create a local or tribal juvenile justice network for the purpose of:

1. providing appropriate programs and services to intervene with juveniles currently involved in the juvenile justice system.
2. providing appropriate programs and services designed to deter at-risk juveniles from dropping out of school or other delinquent behavior.
3. increasing the safety and security of the community and its children by reducing juvenile crime.

P. Education records provided pursuant to an intergovernmental agreement entered into in accord with the above provisions shall be used solely for the purposes of the agreement and shall not be disclosed to any other party, except as provided by law.

A District school official may release information from a student's education records, other than directory information, to a third party if the parent or the eligible student gives prior signed and dated written consent for the disclosure and the third party agrees that the information will not be disclosed to any other party without the prior consent of the parent or eligible student. The signed and dated written consent must include at least:

- A. A specification of the records to be released.
- B. The reasons for the disclosure.
- C. The person or the organization or the class of persons or organizations to whom the disclosure is to be made.
- D. The signature of the parent or eligible student.
- E. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The parent or the eligible student may obtain a copy of any records disclosed under this provision, unless otherwise provided.

#### **Records of Requests for Access and Disclosures Made from Education Records**

The District will maintain an accurate record of all requests for it to disclose information from or to permit access to a student's education records, and of information it discloses and access it permits, with some exceptions as listed below. This record will be kept with, but will not be a part of, each student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, or local officials for the purpose of auditing or enforcing federally supported educational programs [34 C.F.R. 99.32]. See Exhibit JR-EE.

The record will include at least:

- A. The name of the person, organization or agency that made the request.
- B. The interest the person, organization or agency had in the information.
- C. The date the person, organization or agency made the request.
- D. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

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The District will maintain this record as long as it maintains the student's education records. The record will not include requests for access or access granted to:

- A. the parent or eligible student,
- B. authorized law enforcement officials conducting an investigation of acts of terrorism,
- C. school officials who have a legitimate educational interest in the student,
- D. requests for or disclosures of information contained in the student's education records if the request is accompanied by or authorized by the prior signed and dated written consent of the parent or eligible student, or
- E. for requests for or disclosures of directory information designated for that student.

**Procedures to Seek to Correct  
Education Records  
[34 C.F.R. 99.20 and 99.21]**

Parents of students and eligible students have a right to seek to change any part of the student's record they believe is inaccurate, misleading, or in violation of student rights [34 C.F.R. 300.618 and 99.20]. (*Note:* Under the FERPA, the District may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term *incorrect* will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term *correct* will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term *requester* will be used to describe the parent of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct education records for a requester, the District may make a decision to comply with the request for change at several levels in the procedure [34 C.F.R. 300.618 and 99.20].

***First-level decision.*** A parent of a student or an eligible student who finds an item in the student's education records that appears to be inaccurate, misleading, or in violation of student rights should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.



If the custodian cannot change the record to the requester's satisfaction or the record does not appear to be obviously incorrect, the custodian will:

- A. Provide the requester a copy of the questioned record at no cost.
- B. Ask the requester to initiate a written request for the change.
- C. Follow the procedure for a second-level decision.

***Second-level decision.*** The written request to correct a student's education records through the procedure at this level should specify the correction the requester wishes the District to make. It should at least identify the item thought to be incorrect and state whether the requester believes the item:

- A. Is inaccurate and why,
- B. Is misleading and why, or
- C. Violates student rights and why.

The request will be dated and signed by the requester.

Within two (2) weeks after receiving a written request, the record custodian will study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the District's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, a decision is reached that the record should be corrected, the record custodian will affect the change and notify the requester, in writing, of that action. Each such notice will include an invitation for the requester to inspect and review the student's education records to make certain the record is in order and the correction is satisfactory.

If a decision is reached that the record is correct, the custodian will make a written summary of any discussions with other officials and of the findings in the matter. This summary and a copy of the written request will be transmitted to the Superintendent.

***Third-level decision.*** The Superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney or the Board (in executive session unless otherwise requested by parent[s]). The Superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two (2) weeks. If it will take longer, the Superintendent will notify the requester in writing of the reasons for the delay and a date when the decision will be made.

If the Superintendent decides the record is incorrect and should be changed, the record custodian will be advised to make the changes. The record custodian will advise the requester of the change.

If the Superintendent decides the record is correct, a letter to the requester will be prepared that will include [34 C.F.R. 300.619 and 99.20]:

- A. The District's decision that the record is correct and the basis for the decision.
- B. A notice to the requester explaining the requester's right to ask for a hearing to present evidence that the record is incorrect and that the District will grant such a hearing.
- C. Instructions for the requester to contact the Superintendent to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing. (The District will not be bound by the requester's positions on these items but will, as far as possible, arrange the hearing as the requester wishes.)
- D. Advice that the requester may be represented or assisted in the hearing by other parties, including an attorney, at the requester's expense.

***Fourth-level decision.*** After the requester has submitted (orally or in writing) any wishes concerning the hearing officer and the time and place for the hearing, the Superintendent will, within one (1) week, notify the requester when and where the District will hold the hearing and whom it has designated as the hearing officer [34 C.F.R. 300.621, 99.21, 99.22, and 99.34].

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records is incorrect as shown in the requester's written request for a change in the record (second level).

Within one (1) week after the hearing, the hearing officer will submit to the Superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit recommendations, based solely on the evidence presented at the hearing, that the record should be changed or should remain unchanged.

The Superintendent will prepare the District's decision within two (2) weeks after the hearing. That decision will be based on the summary of the evidence presented at the hearing and on the hearing officer's recommendation. However, the District's decision will be based solely on the evidence presented at the hearing. Therefore, the Superintendent may overrule the hearing officer if the hearing officer's recommendation is deemed inconsistent with the evidence presented. As a result of the District's decision, the Superintendent will take one (1) of the following actions:

<p><i>Note:</i> This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.</p>
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A. If the decision is that the District will change the record, the Superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester at the second-level decision [34 C.F.R. 300.620 and 99.21].

B. If the decision is that the District will not change the record, the Superintendent will prepare a written notice to the requester that will include [34 C.F.R. 300.620 and 99.21]:

1. The District's decision that the record is correct and will not be changed.
2. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision.
3. Advice to the requester that an explanatory statement may be placed in the student's education records stating the reasons for disagreement with the District's decision and/or the reasons for believing the record to be incorrect.

***Final administrative step in the procedure.*** When the District receives an explanatory statement from a requester after a hearing, it will maintain that statement as part of the student's education records as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record and whenever the questioned part of the record is disclosed the explanatory statement will also be disclosed [34 C.F.R. 300.620 and 99.21].

**Annual Notification to Parents Regarding  
Confidentiality of Student Education  
Records [34 C.F.R. 300.612]**

Dear Parent:

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. The Governing Board has established written policies regarding the collection, storage, retrieval, release, use, and transfer of student educational information collected and maintained pertinent to the education of all students to ensure the confidentiality of the information and to guarantee parents' and students' rights to privacy. These policies and procedures are in compliance with:

The Family Education Rights and Privacy Act; Title 20, United States Code, Sections 1232g and 1232h; and the Federal Regulations (34 C.F.R., Part 99) issued pursuant to such act;

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT);

Every Student Succeeds Act of 2015 (ESSA);

The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300); and

Arizona Revised Statutes, Title 15, sections 141 and 142.

Student education records are collected and maintained to help in the instruction, guidance, and educational progress of the student, to provide information to parents and staff members, to provide a basis for the evaluation and improvement of school programs, and for legitimate educational research. The students' records maintained by the District may include - but are not necessarily limited to, identifying data, report cards and transcripts of academic work completed, standardized achievement test scores, attendance data, reports of psychological testing, health data, teacher or counselor observations, and verified reports of serious or recurrent behavior patterns.

These records are maintained in the office of the District under the supervision of the school administrator and are available only to the teachers and staff members working with the student. Upon request, the District discloses education records, including disciplinary records, without consent to officials of another school district in which a student seeks or intends to enroll. Otherwise, records are not released to most agencies, persons or organizations without prior signed and dated written consent of the parent [34 C.F.R. 99.7]. The signed and dated written consent may be in electronic form under certain conditions [34 C.F.R. 99.30].

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be maintained for two (2) years after the date your child was last enrolled in this school district.

You have the right to inspect and review any and all records related to your child within forty-five (45) days of the day of receiving a request for access, including a listing of persons or organizations who have reviewed or have received copies of the information [34 C.F.R. 99.7]. Parents who wish to review their children's records should contact the principal for an appointment or submit to the principal a written request that identifies the record(s) you wish to inspect. District personnel will make arrangements for access and notify you of the time and place where the records may be inspected. District personnel will be available to explain the contents of the records to you. Copies of student education records will be made available to parents when it is not practicable for you to inspect and review the records at the school. Charges for the copies of records will be costs of copying unless the fee prevents the parent from exercising rights to inspect and review those records.

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

You have the right to request that an amendment be made to the student's education records and to add comments of your own if you believe information in the record file is inaccurate or misleading [34 C.F.R. 99.7(a)(1)]. You should write the principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by you, the District will notify you of the decision and advise you of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

You have the right to consent to disclosures of personally identifiable information contained in the 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 interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (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 contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. 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 responsibility.

Copies of the District student education records confidentiality policies and procedures may be reviewed in the assigned office in each school [34 C.F.R. 99.7]. You have the right to file a complaint with the Family Educational Rights and Privacy Act Office in Washington, D.C., concerning alleged failures by the District to comply with the requirements of FERPA [34 C.F.R. 99.7]. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605**