

DRAFT UPDATE

Mid-Valley Special Education Cooperative

7:340

Students

Student Records

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 17 years who has been arrested or taken into custody.

State and federal law grants students and parents/guardians certain rights, including the right to inspect, copy, and challenge school student records. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The Cooperative may release directory information as permitted by law, but a parent/guardian shall have the right to object to the release of information regarding his or her child. However, the Cooperative will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to, or the consent of, the student's parent/guardian. Upon request, the Cooperative discloses school student records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law.

The Executive Director shall fully implement this policy and designate an *official records custodian* for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records.

DRAFT UPDATE

LEGAL REF.: Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).
Owasso I.S.D. No. 1-011 v. Falvo, 534 U.S. 426 (2002).
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; implemented by 34
C.F.R. Part 99.
Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/
105 ILCS 5/10-20.21b, 5/20.37, 5/20.40, and 5/14-1.01 et seq., and ~~10/
105 ILCS 10/~~ Illinois School Student Records Act.
50 ILCS 205/7.
750 ILCS 5/602.11.
23 Ill.Admin.Code Parts 226 and 375.

CROSS REF.: 4:15 (Identity Protection), 5:100 (Staff Development Program), 5:125 (Personal
Technology and Social Media; Usage and Conduct), 5:130 (Responsibilities
Concerning Internal Information), 7:15 (Student and Family Privacy Rights),
7:220 (Bus Conduct)

ADOPTED: ~~February 3, 2016~~

Commented [APowell1]: The Legal References have been
updated.

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