Administrative Regulation

A. STUDENT RECORDS

1. The Ingham Intermediate School District is responsible for maintaining records of all students in this district. Only records mandated by the state or federal government or specifically permitted by this Board may be compiled by district employees. The Board through the superintendent authorizes collection of the following student records, in addition to the membership record required by law:

   a. Observations and ratings of individual students by professional staff members acting within their sphere of competency;

   b. Samples of student work;

   c. Information obtained from professionally acceptable standard instruments of measurement;

   d. Authenticated information provided by a parent or adult student concerning achievements and other school activities which the parent or student wants to make a part of the record;

   e. Verified reports of serious or recurrent behavior patterns;

   f. Rank in class and academic honors earned;

   g. Psychological tests;

   h. Attendance records;

   i. Health records; and

   j. Custodial arrangements

2. In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

3. Student records shall be available only to students and their parents, adult students, and designated school officials and personnel who have a legitimate educational interest in the information. In situations in which a student has both a custodial and a non-custodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of adult students (eighteen and older), parents will be allowed access to the records without the student's consent, providing the student is considered a dependent under Section 152 of the Internal Revenue Code, and has not graduated from the district.

4. "Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the district" including, but not limited to those officials with legitimate educational interests as defined in district administrative guidelines.

5. The superintendent is to:

   a. Forward education records on request to a school in which a student of this district seeks or intends to enroll;

   b. Forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;

   c. Provide "personally-identifiable" information to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals;

   d. Request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information to a third party.

B. DIRECTORY INFORMATION

1. The district will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction.

2. The district shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, and the date of disclosure.

3. Upon written request by a student's parent or legal guardian, the District shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records.

   If the District provides any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records to any person, agency, or organization, then the District shall disclose to the student's parent or legal guardian upon his or her written request:

   a. the specific information that was disclosed;

   b. the name and contact information of each person, agency, or organization to which the information has been disclosed;

   c. the legitimate reason that the person, agency, or organization had in obtaining the information.

   This information shall be provided without charge within thirty (30) days after the District receives the written request and without charge to the parent or legal guardian.

   The District is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

   a. provision of such information to the Michigan Department of Education or CEPI

   b. provision of such information to the student's parent or legal guardian

   c. provision of such information to its authorizing body or to an educational management organization with which it has a management agreement

   d. provision of such information to or from its intermediate school district or to another intermediate school district providing services to the District or its students pursuant to a written agreement

   e. provision of such information to a person, agency, or organization with written consent from the student's parent or legal guardian or, if the student is at least age eighteen (18), the student

f. provision of such information to a person, agency, or organization seeking or receiving records in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction

g. provision of such information as necessary for standardized testing that measures the student's academic progress and achievement

h. provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age eighteen (18) or is an emancipated minor, the student has signed and submitted the opt-out form referenced below

4. Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is eighteen (18) years of age or older, with written consent of the student, except those persons or parties stipulated by the district's policy and administrative guidelines and/or those in the law.

5. Each year the district will provide public notice to students and their parents through student handbooks of its intent to make available, upon request, certain information known as "directory information." The following is designated as student "directory information":

a. A student's name;

b. Address;

c. Telephone number;

d. Date and place of birth;

e. Photograph;

f. Major field of study;

g. Participation in officially recognized activities and sports; height and weight, if a member of an athletic team;

h. Date of attendance;

i. Date of graduation

j. Awards received;

k. Honor rolls;

l. Scholarships; and

m. Telephone numbers only for inclusion in school or PTO directories.

6. Parents and adult students may refuse to allow the district to disclose any or all of such "directory information" upon written notification to the district within 15 days after receipt of the student handbook.

7. The Superintendent or designee will also develop a list of uses for which the District commonly would disclose a student's directory information and develop an opt-out form that lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for one (1) or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first thirty (30) days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the District by a student's parent or legal guardian, the District shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age eighteen (18) or is an emancipated minor may act on his or her own behalf with respect to the opt-out form.

6. Whenever parental consent is required for the inspection and/or release of a student's educational records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the superintendent shall appoint a person who has no conflicting interest to provide such written consent.

7. The district may disclose "directory information" on former students without student or parental consent.

C. FEES FOR COPIES OF RECORDS

1. The district will provide parents or eligible students with copies of student educational records based upon the following fees: $.10 per page plus postage at established postal rates.

2. If parents or eligible student is financially unable to pay fee, it will be the responsibility of the school official responsible for the record to arrange for a reduced fee or to provide copies free of charge. However, the district reserves the right to make a charge for copies such as transcripts it forwards to potential employers or to colleges and universities for employment or admission purposes. The district will not deny copies of records under the following situations:

a. When the refusal to provide copies effectively denies access to the records by a parent or eligible student.

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. Transferring of records from one school district to another.

3. A fee for retrieval and search for educational records shall not be charged.

D. ARMED FORCES RECRUITING

The Board shall provide United States Armed Forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses, and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

E. PROHIBITED SALE OF STUDENT INFORMATION

The Board shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

A. providing the information as necessary for standardized testing that measures the student's academic progress and achievement

B. providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the District

M.C.L. 380.1135, 380.1136
Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education
34 C.F.R. Part 99, 2002
Section 444 of subpart of part C of the General Education Provisions Act
Title IV of Public Law 90-247
20 U.S.C., Section 1232f through 1232i (FERPA)
20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act
20 U.S.C. 7165(b)
26 U.S.C. 152
20 U.S.C. 7908

ADMINISTRATIVE REGULATION

Approved: March 20, 2001
Amended: January 6, 2016
May 17, 2016
August 15, 2017