

1 Great Falls School District

2

3 **STUDENTS**

3600R

4

5 Student Records

6

7 Maintenance of School Student Records

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9 The District maintains two (2) sets of school records for each student – a permanent record and a  
10 cumulative record.

11

12 **The permanent record shall include:**

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- 14 • Basic identifying information
- 15 • Academic transcripts
- 16 • Level of achievement (grades, standardized achievement tests)
- 17 • Immunization records (per § 20-5-406, MCA)
- 18 • Attendance record
- 19 • Record of any disciplinary action taken against the student, which is educationally related
- 20 • Statewide student identifier assigned by the Office of Public Instruction

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22 Each student’s permanent file, as defined by the Board of Public Education, must be permanently  
23 kept in a secure location.

24

25 **The cumulative record may include:**

26

- 27 • Intelligence and aptitude scores
- 28 • Psychological reports
- 29 • Disciplinary information
- 30 • Participation in extracurricular activities
- 31 • Honors and awards
- 32 • Verified reports or information from non-educational persons
- 33 • Verified information of clear relevance to the student’s education
- 34 • Information pertaining to the release of this record
- 35 • Camera footage only for those students directly involved in the incident

36

37 Information in the permanent record shall indicate authorship and date and shall be maintained in  
38 perpetuity for every student who has been enrolled in the District. Cumulative records shall be  
39 maintained for eight (8) years after the student graduates or permanently leaves the District.

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41 Cumulative records which may be of continued assistance to a student with disabilities who  
42 graduates or permanently withdraws from District, may, after five (5) years, be transferred to the  
43 parent(s)/guardian(s) or to the student if the student has succeeded to the rights of the  
44 parent(s)/guardian(s).

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1 The building principal shall be responsible for the maintenance, retention, or destruction of a  
2 student's permanent or cumulative records, in accordance with the District's procedure  
3 established by the Superintendent.

4  
5 Access to Student Records  
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7 The District shall grant access to student records as follows:  
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- 9 1. The District or any District employee shall not release, disclose, or grant access to  
10 information found in any student record except under the conditions set forth in this  
11 policy.  
12
- 13 2. The parent(s)/guardian(s) of a student under eighteen (18) years of age shall be entitled to  
14 inspect and copy information in the child's school records. Such requests shall be made  
15 in writing and directed to the records custodian. Access to the records shall be granted  
16 within fifteen (15) days of the District's receipt of such a request. Parents are not entitled  
17 to records of other students. If a record contains information about two students,  
18 information related to the student of the non-requesting parent will be redacted from the  
19 record.  
20

21 In situations involving a record containing video footage, a parent of a student whose  
22 record contains the footage is allowed to view the footage contained in the record but is  
23 not permitted to receive a copy unless the parents of the other involved students provide  
24 consent. The footage is not a record of students in the background of the image or not  
25 otherwise involved in the underlying matter.  
26

27 Where the parents/guardians are divorced or separated, both shall be permitted to inspect  
28 and copy the student's school records unless a court order, of which the District has  
29 notice, indicates otherwise. The District shall send copies of the following to both  
30 parents/guardians at either one's request, unless a court order indicates otherwise:  
31

- 32 a. Academic progress reports or records;
- 33 b. Health reports;
- 34 c. Notices of parent-teacher conferences;
- 35 d. School calendars distributed to the parents/guardians; and
- 36 e. Notices about open houses and other major school events including pupil-parent  
37 interaction.  
38

39 A student that attains the age of legal majority is an "eligible student" under FERPA. An  
40 eligible student has the right to access and inspect their student records. An eligible  
41 student may not prevent their parents from accessing and inspecting their student records  
42 if they are a dependent of their parents in accordance with Internal Revenue Service  
43 regulations.  
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1 Access shall not be granted the parent or the student to confidential letters and  
2 recommendations concerning the admission to a post-secondary educational institution,  
3 applications for employment, or the receipt of an honor or award, if the student has  
4 waived his or her right of access, after being advised of his or her right to obtain the  
5 names of all persons making such confidential letters or statements.  
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- 7
- 8 3. The District may grant access to or release information from student records without  
9 prior written consent to school officials with a legitimate educational interest in the  
10 information. A school official is a person employed by the District in an administrative,  
11 supervisory, academic, or support staff position (including, but not limited to  
12 administrators, teachers, counselors, paraprofessionals, coaches, and bus drivers), and the  
13 Board of Trustees. A school official may also include a volunteer or contractor not  
14 employed by the District but who performs an educational service or function for which  
15 the District would otherwise use its own employees and who is under the direct control of  
16 the District with respect to the use and maintenance of personally identifying information  
17 from education records, or such other third parties under contract with the District to  
18 provide professional services related to the District's educational mission, including, but  
19 not limited to, attorneys and auditors. A school official has a legitimate educational  
20 interest in student education information when the official needs the information in order  
21 to fulfill his or her professional responsibilities for the District. Access by school officials  
22 to student education information will be restricted to that portion of a student's records  
23 necessary for the school official to perform or accomplish their official or professional  
24 duties.
  - 25 4. The District may grant access to, or release information from, student records without  
26 parental/guardian consent or notification to any person, for the purpose of research,  
27 statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be  
28 identified from the information released, and the person to whom the information is  
29 released signs an affidavit agreeing to comply with applicable statutes and rules  
30 pertaining to school student records.  
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  - 32 5. The District may grant release of a child's education records to child welfare agencies  
33 without the prior written consent of the parents.  
34
  - 35 6. The District shall grant access to or release information from a student's records pursuant  
36 to a court order.  
37
  - 38 7. The District shall grant access to or release information from any student record as  
39 specifically required by federal or state statute.  
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  - 41 8. The District shall grant access to or release information from student records to any  
42 person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible  
43 student with particularity as to whom the records may be released the information or  
44 record to be released, and the reason for the release. One (1) copy of the consent form  
45 shall be kept in the records, and one (1) copy shall be mailed to the parent(s)/guardian(s)  
46 or eligible student by the Superintendent or designee. Whenever the District requests the

1 consent to release certain records, the records custodian shall inform the  
2 parent(s)/guardian(s) or eligible student of the right to limit such consent to specific  
3 portions of information in the records.  
4

5 9. The District may release information from student records to the Superintendent or an  
6 official with similar responsibilities in a school in which the student has enrolled or  
7 intends to enroll, upon written request from such official. School officials may also  
8 include those listed in #3 above.  
9

10 10. Prior to the release of any records or information under items 5,6,7,8 and 9 above, the  
11 District shall provide prompt written notice to the parent(s)/guardian(s) or eligible student  
12 of this intended action. This notification shall include a statement concerning the nature  
13 and substance of the records to be released and the right to inspect, copy, and challenge  
14 the contents.  
15

16 11. The District may release student records or information in connection with an emergency,  
17 without parental consent, if the knowledge of such information is necessary to protect the  
18 health or safety of the student or other persons. The records custodian shall make this  
19 decision taking into consideration the nature of the emergency, the seriousness of the  
20 threat to the health and safety of the student or other persons, the need for such records to  
21 meet the emergency, and whether the persons to whom such records are released are in a  
22 position to deal with the emergency. The District shall notify the parent(s)/guardian(s) or  
23 eligible student as soon as possible of the information released, the date of the release, the  
24 person, agency or organization to whom the release was made, and the purpose of the  
25 release.  
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27 12. The District may disclose, without parental/guardian consent, student records or  
28 information, to the youth court and law enforcement authorities pertaining to violations  
29 of the Montana Youth Court Act or criminal laws by the pupil.  
30

31 13. The District shall comply with an ex parte order requiring it to permit the U.S. Attorney  
32 General or designee to have access to a student's school records without notice to or  
33 consent of the student's parent(s)/guardian(s).  
34

35 14. The District charges a nominal fee for copying information in the student's records. No  
36 parent(s)/guardian(s) or student shall be precluded from copying information because of  
37 financial hardship.  
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39 15. A record of all releases of information from student records (including all instances of  
40 access granted, whether or not records were copied) shall be kept and maintained as part  
41 of such records. This record shall be maintained for the life of the student record and  
42 shall be accessible only to the parent(s)/guardian(s) or eligible student, records custodian,  
43 or other person. The record of release shall include:  
44 a. Information released or made accessible.  
45 b. The name and signature of the records custodian.  
46 c. The name and position of the person obtaining the release or access.

- d. The date of the release or grant of access.
- e. A copy of any consent to such release.

#### Directory Information

The District may release certain directory information regarding students, except that parent(s)/guardian(s) may prohibit such a release. Directory information shall be limited to:

- Student's Name
- Address
- Telephone listing
- Electronic mail address
- Photograph (including electronic version)
- Date and place of birth
- Grade level
- Enrollment status (e.g., undergraduate or graduate; full-time or part-time)
- Academic awards, degrees, and honors
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Major field of study
- Dates of attendance
- Most recent educational agency or institution attended
- Higher Ed Certification/Degrees

The notification to parent(s)/guardian(s) and students concerning school records shall inform them of their right to object to the release of directory information. The District will specifically include information about the missing children electronic directory photograph repository permitting parents or guardians to choose to have the student's photograph included in the repository for that school year; information about the use of the directory photographs if a student is identified as a missing child; and information about how to request the student's directory photograph be removed from the repository.

#### Military Record Challenges

Pursuant to federal law, the District is required to release the names, addresses, and telephone numbers of all high school students to military recruiters and institutions of higher education upon request.

The Montana Superintendent of Public Instruction may release student information to the Montana Commissioner of Higher Education and Montana Department of Labor and Industry for research purposes after entering into agreement with Commissioner and Department. If the Superintendent of Public Instruction offers a statewide assessment that serves as a college entrance exam, the student's personally identifiable information may be released to colleges, state-contracted testing agencies, and scholarship organizations with student consent.

1 The notification to parents and students concerning school records shall inform them of their  
2 right to object to the release of this information.

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4 Student Record Challenges

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6 This District shall give a parent or eligible student, on request, an opportunity for a hearing to  
7 challenge content of the student’s education records on the grounds that the information  
8 contained in the education records is inaccurate, misleading, or in violation of the privacy rights  
9 of the student.

10  
11 The hearing required by 34 C.F.R. 99.21 must meet, at a minimum, the following requirements:

- 12  
13 • The District shall hold the hearing within a reasonable time after it has received the  
14 request for the hearing from the parent or eligible student.  
15 • The District shall give the parent or eligible student notice of the date, time, and place,  
16 reasonable in advance of the hearing.  
17 • The hearing may be conducted by any individual designated by the District who does not  
18 have direct interest in the outcome of the hearing.  
19 • The District shall make its decision in writing within a reasonable amount of time after  
20 the hearing.  
21 • The decision must be based solely on the evidence presented at the hearing, and must  
22 include a summary of the evidence and the reasons for the decision.  
23

24 They have the right to request a hearing at which each party has:

- 25  
26 • The right to present evidence and to call witnesses;  
27 • The right to cross-examine witnesses;  
28 • The right to counsel;  
29 • The right to a written statement of any decision and the reasons therefore;  
30

31 The parent(s)/guardian(s) or eligible student may insert a written statement of reasonable length  
32 describing their position on disputed information. The school will maintain the statement with  
33 the contested part of the record for as long as the record is maintained and will disclose the  
34 statement whenever it discloses the portion of the record to which the statement relates.  
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37 Legal References:

38 Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2011); 34 C.F.R. 99 (2011), 34  
39 C.F.R. 99.20-22  
40 § 20-5-201, MCA Duties and Sanctions  
41 § 20-7-104, MCA Transparency and Public Availability of Public School Performance Data  
42 – Reporting – Availability for Timely Use to Improve Instruction  
43 § 40-4-255, MCA Access to Records by Parent  
44 § 41-3-201, MCA Reports  
45 § 41-5-215, MCA Youth Court and Department Records – Notification of School  
46 10.55.909, ARM Student Records

1 10.55.910, ARM Student Discipline Records  
2 Chapter 250 (2019) Electronic Director Photograph Repository  
3  
4 Policy History  
5 Adopted on: July 1, 2000  
6 Revised on: February 14, 2005  
7 Revised on: November 12, 2012  
8 Revised on: January 26, 2015  
9 Revised on: January 11, 2021