

Privacy Rights of Parents and Students

The provisions of this section became law on [November 19, 1974. The Family Educational Rights and Privacy Act](#) gives all parents of students under 18 years of age and all students over 18 years of age (with some exceptions) the right to see, correct and control access to student records. School systems are required by the law to establish written procedures to carry out these rights.

Barrington Public Schools Privacy Rights of Parents and Students

General Statement of Rights

PARENTS OR LEGAL GUARDIANS OF STUDENTS OR STUDENTS OVER THE AGE OF EIGHTEEN:

1. Have the right to inspect any and all school official records, files and data generally relating to their child.
2. Have the right to inspect the part of school records which directly pertains to their child, where more than one child is included in such information.
3. Have the right to call for a hearing to challenge the content of their child's educational records to insure that the records are accurate and to provide for the opportunity for the correction or deletion of any inaccurate, misleading or otherwise inappropriate data.
4. Have the right to add information, comments, data, or any other relevant written material to the educational record.
5. Have the security of the knowledge that the school will not permit the release of records or files other than "directory information" (e.g., weight, height, etc., which could be used in athletic programs) without written consent except:
 - a. for review by other local school officials, including teachers within the local educational district who have legitimate educational interests.
 - b. for review by officials of other schools in which the student wants to enroll, upon condition that parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record.
 - c. in conjunction with applications for financial aid.
 - d. when such information may be necessary in connection with the audit and evaluation of State or Federally supported education programs.
 - e. where such information is furnished in compliance with judicial order upon condition that parents and students are notified of all such orders or subpoenas in advance of the compliance therewith by the educational institution.
 - f. when such information is needed for accrediting organizations to carry out their functions.

- g. in connection with educational studies for the purpose of administrative and instructional improvement upon condition there will be no personal identification of students and such information will be destroyed when no longer needed.
- h. when released to parents of dependent children as defined in section [152 of the Internal Revenue Code of 1954.](#)
- 6. Have the security of the knowledge that a permanent log shall be kept as part of each student's record. Each person disseminating information contained within the educational record shall upon each instance of dissemination enter into the log the following: his/her name, signature, position, the date, the portions of the record that were disseminated, and the purpose of such dissemination. If a third party is to receive information from the educational record, the name and affiliation of such third party shall be included in the log.

Definition of Educational Records

The school principal shall be responsible for the privacy and security of all educational records maintained in the school. The Director of Special Education shall be responsible for the privacy and security of all educational records maintained in the Special Services Center. The Superintendent of Schools shall be responsible for the privacy and security of all educational records that are not under the supervision of the school principal or Director of Special Education; for example, former students' transcripts stored in the central administrative offices. PARENTS OR LEGAL GUARDIANS OF STUDENTS OR STUDENTS OVER THE AGE OF EIGHTEEN YEARS shall have the right to inspect their student's personal file, following the procedure below:

1. Make an appointment with the appropriate administrator (e.g., school building principal or Director of Special Education), either by telephone, or in writing, to arrange for a mutually agreeable time and place, stating any specific data or document in question. In no case may this meeting take place more than forty-five days after the request.
2. The administrator may delegate the responsibility for meeting with the parent, guardian or student over eighteen as:
 - a. The material within each record should be reviewed and interpreted by the appropriate staff members, i.e., speech and language report should be reviewed with the Speech/Language/Hearing Pathologist; psychological testing report should be reviewed with the School Psychologist.
 - b. Parents, guardians or students over eighteen should be advised to go to the primary source of material originating outside the Barrington School Department for interpretation even though they have a legal right to examine such material if it is part of the educational record.
3. Each parent, guardian or student over eighteen shall be required to sign a prescribed form indicating they have inspected and reviewed the records. This form shall include date, signature of parent, guardian or student over eighteen and of school personnel involved. This form shall be kept permanently in the student's record.
4. Parents, guardians or students over the age of eighteen have the right to obtain copies of documents and data within the educational records upon request. A reasonable fee not to exceed the cost of reproduction may be charged.

5. No records may be examined or released to personnel other than within the school department without written consent of parent, guardian or student over eighteen years of age. NOTE: Written consent shall cover only the release of material originating in the Barrington School Department to responsible agencies. Agencies requesting other information that may be part of the educational record should be advised that they must go to the primary source for such material.
6. The administrator responsible for the educational records may periodically review and destroy misleading, outdated, or irrelevant information contained in the records provided that the parent, legal guardian or student over eighteen is notified in writing and is given opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be retained in the record.

Amendment and Appeal Procedure

PARENTS OR LEGAL GUARDIANS OF STUDENTS OR STUDENTS OVER THE AGE OF EIGHTEEN YEARS have the right to call for a hearing to challenge the content of educational records to insure that the records are accurate and to provide for the opportunity for the correction or deletion or any inaccurate, misleading or otherwise inappropriate data:

1. Make an appointment with the appropriate administrator (e.g., school building principal or Director of Special Education) by telephone, or in writing, to arrange for a mutually agreeable time and place, stating the specific purpose for the meeting in writing.
2. The administrator or his/her designee shall within a reasonable time render to the parent, guardian or student over eighteen, a decision in writing, stating the reasons for the decision. Every attempt should be made to settle a dispute through informal meetings and discussions.
3. In the event that any decision of an administrator is not satisfactory, the parent, guardian or student over eighteen shall have the right of appeal to the Superintendent of Schools.
4. This request shall be made in writing and addressed to the Superintendent of Schools who shall arrange for a hearing with the parent, guardian or student over the age of eighteen and may request the presence of the school personnel who were in attendance at the first meeting.
5. The Superintendent of Schools shall arrive at a decision concerning the request and shall notify the interested party of his decision in writing, stating specific reasons for his decision.
6. The parent, guardian or student over the age of eighteen shall have the right to appeal to the School Committee if the decision of the Superintendent of Schools is not satisfactory, stating in writing the specific complaint.
7. The School Committee shall arrange for a hearing with the aggrieved party upon receipt of said request and shall request the presence of the school personnel involved in the initial hearing.
8. The School Committee shall arrive at a decision and shall notify the party involved in writing, stating the specific reasons for its decision.
9. The aggrieved party, if not satisfied with the decision of the School Committee, shall have the right to appeal the decision to the U.S. Commissioner of Education.