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Student Records

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The school district shall maintain student records and reports as are necessary for effective administration and in compliance with law. In general “student records” shall not include transitory communications such as e-mail, text messages, handwritten communication between school and home and the like, and these items will not generally be maintained by the district. “Student records” also shall not include any records created and maintained by the district’s law enforcement unit for a law enforcement purpose.

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For purposes of the district’s compliance with state and federal law, the district “maintains” as “student records” all records, files, and documents which are located in any format and within any storage unit of the district, whether in hard copy, digital, or otherwise.

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Each building principal will assign responsibilities for the preparation and maintenance of pupil records and will ensure compliance with the applicable federal and state laws, regulation, and record retention schedules regarding their storage and use in the building. No “student record” or record required to be retained by the Nebraska Secretary of State’s Record Retention Schedules applicable to the district will be destroyed unless it is first saved in a retrievable, digital format. This include only records required to be kept by the applicable Retention Schedules and “student records” as defined by state and federal law, and this policy does not prohibit the district from following its record expungement procedures for all other records.

Students or their parents, guardians, teachers, counselors, or school administrators shall have access to the school's files or records maintained concerning themselves or their students. For purposes of this policy, “teachers” include para-educators, volunteers and independent contractors who are providing educational services to a student on behalf of the School District. A school official may access, maintain, and use education records containing personally identifiable information (PII) when he or she has a legitimate educational interest in such. “School official” includes any agent, volunteer, or contractor performing an institutional service or function for which the school would otherwise use its own employees and who is under the school district’s direct control with respect to their access to, maintenance of, and use of PII from student records. For example, a school official may include, but would not be limited to, a teacher or other educator, administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); school board member; volunteer; contractor or consultant who, while

44 not employed by the school, performs an institutional service or function for
45 which the school would otherwise use its own employees and who is under the
46 direct control of the school with respect to the use and maintenance of PII from
47 education records, such as an attorney, representative of the district's insurance
48 providers, auditor, medical consultant, therapist, or a third-party website operator
49 who has contracted with the school district or its agent to offer online programs
50 for the benefit of students and/or the district; members of law enforcement acting
51 on behalf of the school district; a parent or student volunteering to serve on an
52 official committee, such as a disciplinary or grievance committee; or a parent,
53 student, or other volunteer assisting another school official in performing his or
54 her tasks. A school official typically has a "legitimate educational interest" if the
55 official needs to review an education record in order to fulfill a school-related
56 professional, contractual, statutory, or regulatory responsibility.

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58 All disciplinary material shall be removed and destroyed upon the pupil's
59 graduation or after the pupil's continuous absence from the school for a period of
60 three years, and after authorization is given by the State Records Board pursuant
61 to state law. Upon request, the school district will disclose education records
62 without consent to officials of another school district in which a student seeks or
63 intends to enroll.

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65 Outside agencies such as physicians, probation officers, psychologists, child
66 guidance clinics, and other agencies concerned with child welfare who are
67 working directly with a child may have access to information pertaining to that
68 child with written parent consent or upon issuance of a valid court order.

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70 The school district shall share student data, records, and information with school
71 districts, educational service units, learning communities and the State
72 Department of Education to the fullest extent practicable unless otherwise
73 prohibited by law. This includes sharing information with the Department of
74 Education necessary to comply with the requirement of state law that all third-
75 year high school students take a college entrance exam. Any re-disclosure of
76 information related to the administration of this exam shall be governed by the
77 agreement between the Nebraska Department of Education and the third-party
78 testing company.

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81 Each year, the school district will notify parents and guardians of their rights
82 under this policy and the Family Educational Rights and Privacy Act.

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85 Adopted on: November 14, 2006

86 Revised on: November 11, 2008; August 12, 2014; September 13, 2016;
87 December 12, 2017; July 10, 2019; June 10, 2020
88 Reviewed on: February 9, 2010, March 12, 2013; August 12, 2014; September
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