



ACCESS TO
STUDENT RECORDS

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PROCEDURE

Introduction

The confidentiality of information contained in student records must be recognized and measures must be taken to ensure the security of those records.

Identification

1. Custodian of Records - A staff member who has been appointed by a principal, program manager, or other administrator as the person responsible for the maintenance and security of the records (see h38.06, maintenance and location of student records).
2. Student Records - Individual student records or personally identifiable information regarding students that is/are recorded in any medium, including but not limited to computerized records and files, handwriting, print, tape, film, microfilm, or microfiche. All references to student records encompass all the forms of data retention described above.
3. Computerized or Electronic Records and Files - Those records or personally identifiable information regarding students that have been collected and stored in a computer storage device or -hat are directly accessible via a computer terminal.
4. The Right to Access - Access is provided when a form "Request For Access To Or Information From Student Records" is completed by those meeting the following criteria: (also see information under Telephone Requests elsewhere in this procedure and procedure D28.00 - Use OF Directory Information - Student Records).
 - A. Persons or agencies having the right of access to student records.
 - (1) Parents and guardians of minor students (age 17 and younger).
 - (2) Minor students (limited access).
 - (3) Adult students (age 18 and older) and adults who were formerly students (D25.00 - Adult Students - Records).



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- (4) Parents and guardians of adult students who are classified as dependent students in accordance with the Internal Revenue Code of 1954 (students claimed as dependents on income tax returns of parents or guardians).
- (5) School and School District personnel having a legitimate educational interest in specific students.
- (6) Other persons and agencies specified under D24.00 - Release of Student Records.

B. The right of parents or guardians and adult students to access includes:

- (1) The right to be provided a list of the types of education records maintained by the school, and the School District which are directly related to students (D22.00 - Content of Student Records).
- (2) The right to inspect and review the content of their child's student Records.
- (3) The right to obtain copies of their child's student records. The actual cost of reproducing such records may be at the expense of parents, guardians, or adult students, except as otherwise provided herein.
- (4) The right to have records explained and interpreted by an authorized member of the school staff.
- (5) The right to an opportunity for a hearing to challenge the content of their child's student records.
- (6) The right to inspect or be informed of the content of any record or document containing personally identifiable information regarding more than one student, provided that the right to access shall apply only to that portion of the record or document which relates to the subject student.

5. Student's Access to His or Her Own Student Records - All students have the right to know what is in their educational records. The right to know may not include the right to visual access.



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- A. Senior high school students may, in the presence and under the supervision of an authorized member of the school staff, inspect and review those portions of the student record containing:
- (1) Basic identifying data.
 - (2) Attendance records and reports.
 - (3) Academic transcripts and other records of academic performance.
 - (4) Information regarding co-curricular activities, awards, and honors.
 - (5) Standardized test scores.
- B. Students under 18 years of age have the right to know of the existence of the following types of information in their records but, at the discretion of the professional staff member granting access, may be denied the opportunity to inspect and review such records:
- (1) Psychological or personality test scores and evaluations.
 - (2) The student health record.
 - (3) Copies of letters or other forms of communication between the:
 - (a) School and parents or guardians.
 - (b) School and public or private agencies.
 - (c) School and other schools, offices, or departments.
 - (d) Members of school staffs.
 - (4) Copies of, or notations concerning communications between the parents or guardians and non-school agencies or persons, that have been provided by parents or guardians for inclusion in the student record.
 - (5) Legal Documents.
- C. Adult Students - adult students are to be accorded all the rights to access accorded to parents and guardians (see procedure D25.00 - Adult Students - Records).
6. Parent(s)' and Guardian(s)' Access to Student Records - Parent(s) and guardian(s) have the right to complete access to the educational records of their minor (age 17 and younger) students. Exceptions are:
- A. Where a court order, separation agreement, or divorce decree, restricts the right of one parent to exercise control over decisions affecting the child, or where it restrains one parent's contact with the child.



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- B. Where the student's record contains a non-school person or agency report that was accepted into the student record with the consent of the parent(s) or guardian(s) and with the understanding of confidentiality prior to November 15, 1974. In such cases, a school official will contact the non-school person or agency to determine whether:
- (1) The information may be shared with the parent(s) or guardian(s). If the answer is affirmative, the school official shall note the affirmative response, the date the response was received, and add his or her signature on the record in question. Thereafter, the record of report shall be available to parents, guardians, or adult students upon request, or
 - (2) The information is to be returned to the non-school agency or person, or destroyed.
7. Parent(s) or Guardian(s) of Adult Dependent Students - Where the student is claimed as a dependent on the income tax return, per the Internal Revenue Code of 1954, parent(s) or guardian(s) may exercise the right to access afforded to them for their minor children's records as outlined above, subject to the following limitations:
- A. Parent(s) or guardian(s) shall submit a written and signed statement, cosigned by the student, indicating that the student is classified as a dependent student per provisions of the internal revenue code of 1954.
 - B. An "adult student, or the parent or guardian of an adult dependent student, has the right to challenge the decision of a school official regarding the right to access under this provision including the right to a hearing.
8. School and School District personnel access to student records.
- A. School and School District personnel have unrestricted access to those portions of student records required in the day-to-day performance of their duties (e.g., access to daily attendance bulletins, attendance cards, data processing forms, etc.).
 - B. School and School District personnel may have access to the complete student record of an individual student, provided two conditions are met
 - (1) The staff member has a legitimate educational interest in the student.



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- (2) The staff member signs and dates the form provided in the student record indicating that access has been afforded.
9. Persons or agencies that may have access to portions of, or to entire student records, subject to the constraints indicated, include:
- A. Officials of schools or school districts outside the Seattle School District in which the student has enrolled or intends to enroll, provided that proper notification is given (see D24.00 - Release of Student Records Notification).
 - B. Authorized representatives of the U.S. Comptroller General; the Secretary Of Health, Education, And Welfare; the Commissioner of Education; the Director of the National Institute of Education; the Assistant Secretary of Education; or, state educational authorities.
 - C. State or local officials or authorities to whom specific information is required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974. Such access is limited to the type of information required to be reported (e.g., reporting cases of child abuse or providing information in support of referrals to Juvenile Court for truancy).
 - D. Organizations conducting studies for or on behalf of the Seattle School District or other educational agencies or institutions. Access may be granted only for the information needed and only with the recommendation of the Evaluation Services Department, and the approval of the appropriate assistant superintendent(s), or the Superintendent.
 - E. Accrediting Organizations - Access is limited to the need for specific information for accreditation of the Seattle School District.
 - F. Emergency Situations - Other appropriate persons in emergency situations, if the information to be disclosed is necessary to protect the health and safety of the subject student or other persons. The right to access is strictly limited to the necessary information and does not include the right to visual inspection.
10. Telephoned Requests for Information - No information shall be provided by telephone if there is any doubt about the identity of the caller and his or her right to the information requested.



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Although the Family Educational Rights and Privacy Act and these procedures prohibit the disclosure of information about students to unauthorized persons, the efficiency of telephone communication and the welfare of students require a common sense approach in the matter of telephone inquiries.

- A. The decision whether to respond to telephone requests for information about students depends upon several factors:
- (1) Does the caller have a right to the information requested?
 - (2) Can the caller be identified with reasonable certitude?
 - (3) Is there a significant reason why the caller cannot make the request in person?
 - (4) Is the information requested personal and/or sensitive, or is it routine?
- B. Oral disclosure of information taken from student records, whether by telephone or in person, shall be noted in the student record under the provisions identified elsewhere in this procedure, in the following cases:
- (1) In all cases wherein disclosure requires a formal release of information signed by the parent, guardian, or adult student.
 - (2) In all cases wherein disclosure results from an emergency as defined elsewhere in these procedures.
 - (3) In all other cases in which the right of access to information is to any degree questionable.
- C. Routine oral disclosure of information to parents, or guardians, students, teachers, and others having a need for and a right to the information need not be recorded unless the principal or program manager judges that recording of such information is in the best interests of the student, the parents or guardians, the school, or the School District.
11. Recording of Access - Each student file shall contain a record of all parties who have been granted access. This record of access shall include:



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- A. Dates of each occasion of access.
- B. Name of the party granted access.
- C. Identification of the legitimate educational interest of the person granted access.

NOTE: The Student Records Office will also maintain a record of microfilmed records that are printed and released.

See D24.00 - Release of Student Records, regarding requests to administrative offices.

- 12. Additional information - also see D21.00 - student Records - Basic Definitions and D24.00 - Release of Student Records. .

Procedures

- 1. Staff must be familiar with information and directions contained in this entire procedure, D23.00.
- 2. Parents or guardians and adult students, upon request, will be informed of the types of student records maintained by Seattle School District and the schools or offices in which they are housed (see D22.00 - Content of Student Records, and D26.00 - Maintenance and Location of Student Records).
- 3. Parents or guardians and adult students shall be notified of their right to inspect and review student records and the procedure to follow in doing so.
- 4. Request for Access to Student Records - in-person requests for access: (also note details regarding telephone requests for information provided elsewhere in this procedure.)
 - A. Parents or guardians or adult students requesting access to the student's records shall complete and sign a dated form, request for access to or information from student record.

NOTE: Student records in the Student Records Office are in two categories: 1) transcripts that have been placed on microfilm, and 2) student records from closed schools that are held for the prescribed retention period and are then microfilmed.

- B. The request for access form shall be presented to the appropriate custodian of records who shall determine the applicant's right to access and any constraints upon such access (see D21.00 - Student Records - Basic Definitions).



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- C. If the request for access is denied, the applicant is to be informed of his or her right to appeal and the process to follow in doing so.
 - D. If the request for access is approved, the inspection and review of the student's records is to be accomplished in the presence of the custodian of records, or a designated staff member, who shall be responsible for, explaining and interpreting the information contained therein.
 - E. If access is granted, the application for access and notation of the time of access and the name of the staff member present shall become part of the student record.
 - F. If the parent, or guardian, or the adult student requests copies of the student's records, the 'copies are to be provided at parent or student expense (D27.00 - Fees For Copies of Student Records and D24.00 - Release of Student Records).
 - G. If the parent, or guardian, or student challenges part of the student record as being false, misleading, inappropriate, or otherwise inaccurate, the matter is to be referred to the custodian of records.
 - H. All requests for access to records should receive a response as soon as possible, but in any case the response must be made within forty-five (45) calendar days.
5. Student office workers shall not have access to the contents of student record folders. The following must be observed:
- A. All students who answer incoming calls are to identify themselves - students.
 - B. Highly confidential information generally accessible to staff members only on a need-to-know basis, should never be accessible to student workers.
 - C. Students may file or retrieve student folders only under strict instructions that they are not to open the folders or examine the contents. Students may not retrieve specific information from any folder.
 - D. Students may, under close supervision, work with students records which contain only directory information and/or information that is common knowledge among students in the school community (e.g., Locator Cards, Student Data Sheets, Attendance Cards, Subject Selections Sheets, or Cut Slips).



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- E. Under close supervision, students may file in student folders routine documents containing the types of information described above as directory information, provided such filing can be accomplished without the contents of the folder being observed.
 - F. Prior to the assignment of any student to a task involving even minimal access to the records of other students, candidates shall be carefully evaluated in terms of reliability and dependability. This includes not only office workers, but teacher assistants who may have access to student grade and attendance records.
 - G. All student workers are to be assigned to the responsibility of specific staff members and such staff members shall be held accountable for the performance of the students working for them.
 - H. Ultimate responsibility for the performance of student workers, in terms of their ability to work with student records within these safeguards, rests with the principal or program manager.
6. Student Records In Student Records Office - Student records that are sent to the student records office are in two categories:
- A. Those records that have reached the end of their retention period and are to be microfilmed.
 - B. Those records that are from schools that have been closed.

NOTE: Also see D24.00 - Release of Student Records.

Former code(s): H38.03, H15.03