

SERVICES TO SCHOOLS AND CHILDREN

Personally Identifiable Student Data Items Maintained for Schools Served

6300

Educational Service Unit 2 staff shall maintain appropriate student files and records for students to which the ESU provides direct services. Such files and records shall be maintained in compliance with state and federal law.

1. Definitions.
 - (a) Student - means any individual who is or has been in attendance at an educational agency and whom the agency or institution maintains educational records.
 - (b) Attendance - means attendance at an educational agency in person or by correspondence.
 - (c) Student/Educational Records - means those records that are directly related to the student and maintained by an educational agency or by a party acting for the agency. The term does not include records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Individual Diagnosis Data: Data generated by ESU 2 for those students referred from contracting school districts will be considered as confidential and determined to be the property of the resident school district and will be released only to the resident school district unless otherwise directed in writing by the resident school district or parent or student when the student is 18 years of age or older.
3. Notification to Schools: Each school district shall be notified as to the nature and types of student data items which are being collected and maintained in the ESU 2 files.
4. Confidentiality of Student Records: Information from a student file shall not be released or divulged except in compliance with state and federal law. ESU 2 personnel and personnel of the school district in which the student is in attendance who have a "legitimate educational interest" in access to student records, in order to prepare for, assist in, or carry out the education of the student or compile or maintain service unit records (e.g., the administrator, teachers, coordinators, psychologist, speech therapist and assistants such as secretaries, clerks and typists) are authorized to have access to student records to the extent necessary to perform such responsibilities. Release of records or contents shall not be made, except in accordance with the law.
5. Student and Parent Access to Student Records: A parent or guardian of a student or former student, and a student or former student who is 18 years of age or older, shall be given the opportunity upon request to inspect and review the education records of the student or former student. A non-custodial parent is entitled to access to student records except in the case of a court order to the contrary.
6. Amendment of Student Records: Parents and students older than 18 years of age have the right to challenge any information contained in the records that they believe is inaccurate, misleading, or violates the privacy rights of the student by making a request, in writing, to the Administrator of the resident school district to amend the records. If a decision is made not to amend the education records of the student in accordance with the request, the Administrator shall so inform the requester of the refusal, and advise the parent of hearing rights. A hearing shall be made available in conformance with the law.

7. Disposition of Student Records: Five years after the data is no longer needed to provide educational services, the ESU shall return to the school district of residence of the student, all data items which have been received or generated by ESU 2.
8. Working File: Working files maintained by professional staff members employed by ESU 2 are the sole possession of the maker thereof and are exempt from this policy.

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