

Students

Student Records; Confidentiality

Educational records will be kept for each student and will reflect the physical, emotional, social and academic aspects of a student's development in the educational process.

It is the policy of the CREC Council that staff will comply with all applicable laws and regulations regarding confidentiality and access to all student records. Procedures shall be implemented to ensure strict confidentiality of student records while providing proper parental and/or student access to records. Availability of these policies and procedures shall be made known annually to all parents/guardians of children within the district.

Legal Reference: Connecticut General Statutes

1-210 (b)(11) Access to public records. Exempt records.

7-109 Destruction of documents.

10-15b Access of parent or guardians to student's records.

10-154a Professional communications between teacher or nurse & student.

10-209 Records not to be public.

10-221b Boards of education to establish written uniform policy re: treatment of recruiters.

11-8a Retention, destruction and transfer of documents.

11-8b Transfer or disposal of public records. State Library Board to adopt regulations.

46b-56 (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g).

Legal Reference: Connecticut General Statutes (continued)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96 and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011.

USA Patriot Act of 2001, P.L. 107-56, 115 Stat/ 272, Sec. 507, 18 U.S.C. 2332b(g)(5)(B) and 2331.

P.L. 107-110, “No Child Left Behind Act of 2001”, Sections 4155-5208, 9528.

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CAPITOL REGION EDUCATION COUNCIL
Hartford, Connecticut

Students

Student Records - Confidentiality

Definitions

As used in this regulation:

1. a) **“Student”** means an individual who is or has been “in attendance” in person at an educational agency or institution for whom education records are maintained. It also includes those situations in which students “attend” classes but are not physically present, including attendance by videoconference, satellite, Internet, or other electronic information and telecommunication technologies.
 - b) **“Adult student”** means a person who is enrolled in school and who is at least eighteen (18) years of age.
 - c) **“Eligible Student”** means a student who has reached eighteen (18) years of age or who is attending an institution of post-secondary education or is an emancipated minor.
2. **“Student Record”** means any item of information directly related to an identifiable student, other than directory information, which is maintained by the school district or required to be maintained by an employee in the performance of their duties whether recorded by handwriting, print, computer media, video or audio tape, film, microfilm and microfiche. Student records include information relative to an individual student gathered within or without the school system and maintained within the school district, regardless of the physical form in which it is maintained. Any information which is maintained for the purpose of review by a second party is considered a student record.

“Student Record” shall not include: informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute for the maker of the record; employment records used only in relation to a student’s employment by the district; alumni records that contain information about the student after the student is no longer in attendance; records maintained by law enforcement personnel that were created by such personnel for the purpose of law enforcement; records of an eligible student that are maintained by a physician, psychologist, professional or paraprofessional made in connection with the treatment of the student and disclosed only to individuals providing such treatment.

3. **“Substitute”** means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of notes in his or her position.
4. **“Directory Information”** means one or more of the following items: student’s name, address, participation in officially recognized activities and sports, grade levels, weight and height of members of athletic teams, dates of attendance, and degrees and awards received.
5. **“Parent”** means a natural parent, an adopted parent, a legal guardian or an individual duly appointed to act as a parent in the absence of a parent or guardian. If parents are divorced or legally separated, both the parent granted custody and the parent not granted custody have the legal right of access to the academic, medical, hospital or other health records of the child, unless a court order prohibits access.

Whenever a student has attained eighteen (18) years or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to, the parents or guardian of the student shall thereafter only be required of, and accorded to, the student. *Parents of a student eighteen (18) years of age or older who is a dependent, as defined in Section 152 of the Internal Revenue Code of 1956, retain the right of disclosure of student records.*

6. **“School Official”** means a person employed by the district as an administrator, supervisor, instructor or support staff member, including health or medical staff and law enforcement unit personnel, a person serving on the CREC Council, a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing their tasks.
7. **“Disclosure”** means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records, to any party, by any means including oral, written, or electronic means.
8. **“Personally Identifiable Information”** includes but is not limited to the student’s name, the name of the student's parent or other family member, the address of the student or student’s family, a personal identifier such as the student’s Social Security Number or student number, or “biometric records” (a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual, including fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics and handwriting), a list of personal characteristics or indirect identifiers, such as the name of the student’s parent or other family members and the date and place of birth and mother’s maiden name, or other information that would allow a reasonable

person in the school or community who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

9. **“Record”** means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche.
10. **“Access”** means a personal inspection and review of a record or an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record and a request to release a copy of any record.
11. **“Law Enforcement Unit”** means an individual office, department, division, or other component of an education agency or institution that is officially authorized or designated by that agency or institution to 1) enforce laws or refer matters of law enforcement to appropriate authorities, or 2) maintain the physical security and safety of the agency or institution.
12. **“Legitimate Education Interest”** means the need for a school official to review an educational record in order to fulfill their professional responsibilities.
13. **“Authorized Representative”** means any entity or individual designated by a state, or local educational authority, or the Comptroller General, or the Attorney General, or the Secretary of Education, to conduct with respect to Federal or State-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.
14. **“Education Program”** means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education and adult education, and any program that is administered by an educational agency or institution.
15. **“Early Childhood Education Program”** means a Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children’s cognitive, social, emotional and physical development and is a (i) state prekindergarten program; (ii) a program authorized under the Individuals with Disabilities Education Act; or (iii) is a program operated by a local educational agency.

Types of Records

CREC MAINTAINS STUDENT RECORDS ONLY WHILE A STUDENT ATTENDS A CREC SCHOOL. ALL RECORDS OF EXITING STUDENTS ARE RETURNED TO AND MAINTAINED BY THE SENDING LEA.

The school district shall maintain only the following three categories of records:

1. **“Mandatory Permanent Student Records”** are those records which are maintained in perpetuity (at least 50 years) and which schools have been directed to compile by statute, regulation, or authorized administrative directive. Such records shall include the following:
 - A. Legal name of student, address, gender of student
 - B. Date of birth, place of birth
 - C. Method of verification of birth date
 - D. Name and address of parent of minor student
 - (1) Address of minor student if different than the above
 - (2) An annual verification of the name and address of the parent and the residence of the student
 - E. Entering and leaving date of each school year and for any summer session or other extra session
 - F. Subjects taken during each year, half-year, summer session, or quarter
 - G. Academic achievement (grades, transcripts)
 - H. Level of academic achievement (class standing/academic level)
 - I. If marks or credit are given, the mark or number of credits toward graduation allowed for work taken
 - J. Verification or exemption from required immunizations
 - K. Date of high school graduation or equivalent
 - L. Student activities and significant awards

2. **“Mandatory Interim Student Records”** are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed as per statute, regulations (6 years following the student’s graduation, or the graduation of the class to which they belonged, after appropriate notification to parents and/or eligible students via media and an opportunity provided to copy said records), or authorized administrative directive. Such records include the following:
 - A. A log or record which shall be maintained for each student's record and which lists all persons, agencies or organizations requesting or receiving information from the record, and the legitimate interests therefor. (Exceptions from listing, see **Access Log, #2.**)
 - B. Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver. (Comprehensive Health Record)

- C. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge.
 - D. Language training records.
 - E. Progress slips and/or notices.
 - F. Parental restrictions regarding access to directory information or related stipulations.
 - G. Parent or adult student rejoinders to challenged records and to disciplinary action.
 - H. Parental authorizations or prohibitions of student participation in specific programs.
 - I. Results of standardized tests administered within the preceding three years.
3. **“Permitted Records”** are those records having clear importance only to the current educational process of the student. Such records may be destroyed after 6 years following the student’s graduation, or the graduation of the class to which they belonged, after appropriate notification to parents and/or eligible students via media and an opportunity provided to copy said records. Such records may include the following:
- A. Objective counselor and/or teacher ratings
 - B. Standardized test results older than three years
 - C. Routine discipline data
 - D. Verified reports of relevant behavioral patterns
 - E. All disciplinary notices

Maintenance and Security of Student Records

1. Custodian of Records

- A. The Assistant Superintendent of Special Education and Pupil Services is hereby designated as custodian of student records. The address of the custodian is 111 Charter Oak Avenue, Hartford, CT 06106.
 - (1) The custodian is charged with district-wide responsibility for implementing CREC policies and administrative regulations relating to student records.
 - (2) The custodian shall be responsible for security of student records and shall devise procedures for assuring that access to such records is limited to authorized persons.

(3) The custodian of records or a designated certified employee shall be responsible during the inspection for interpretation of the records where necessary and for prevention of their alteration, damage or loss.

B. In each school, the principal, or a certified employee designated by the principal, is responsible for implementation of CREC Council policies and administrative regulations relating to student records maintained in that school.

2. Files

A. A record for each individual student shall be maintained in a central file at the school attended by the student, or when records are maintained in different locations, a notation shall be placed in the central file indicating where such records may be found.

B. Student records shall be stored in locked containers (files) or rooms, or in secure electronic format.

3. Information

A. All anecdotal information and assessment reports maintained as student records must be dated and signed by the individual who originated the record. Each school principal shall keep on file a record of enrollment and scholarship for each student currently enrolled in that school.

Access to Student Records

1. School Officials

A. School officials have access to students' educational records without consent, if the official has been determined to have a legitimate educational interest in the records. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

B. Contractors, consultants, volunteers, and other parties to whom a school has outsourced services or functions are considered "school officials" who may have access to student records, without parental consent, if the following conditions are met:

- The party is under the direct control of the school.
- The party is subject to the same conditions governing the use and re-disclosure of education records applicable to other school officials.
- The contractor must ensure that only individuals with legitimate educational

interests, as determined by the district or school, obtain access to the education records. The contractor may not re-disclose personally identifiable information without consent unless the district or school has authorized the re-disclosure under a FERPA exception and the district or school records the subsequent disclosure.

- C. The district or school may not disclose education records to an outside service provider unless it has specified in its annual FERPA notification to parents/students that it uses contractors, consultants, volunteers, as “school officials” to provide certain institutional services and functions.
- D. In controlling access to education records by school officials and outside service providers, schools must:
- (1) Use “reasonable methods” to ensure an official is given access to only those education records, paper or electronic, in which the official has a legitimate educational interest.
 - (2) Schools may use such methods as:
 - Physical controls such as locked filing cabinets;
 - Technological controls such as role-based access controls for electronic records;
 - Administrative policies, in lieu of physical or technological controls. Such policies must be effective in controlling access.

2. Parents

- A. Parents of currently enrolled students shall have an absolute right during regular business hours to access to any and all student records related to their children which are maintained by the district, including the student’s class rank. Neither the student record, nor any part thereof, shall be withheld or edited. If the student records contain information on more than one student, the parent may inspect and review or be informed of only the specific information which pertains to that student.
- B. A parent who is incarcerated is entitled to knowledge of and access to all educational, medical or similar records maintained in the cumulative record of any currently enrolled minor student of such incarcerated parent, including the student’s class rank, except (1) where the information in such records is considered privileged as defined in C.G.S. 10-154a; (2) such incarcerated parent has been convicted of sexual assault, aggravated sexual assault, or rape; or (3) such incarcerated parent is prohibited from knowledge or access to such student’s records pursuant to a court order.

- C. A parent or guardian's request for access to student records shall be made in writing to the custodian of student records. Access shall be granted no later than ten (10) business days following the date of the request.
- D. A requesting parent shall be notified of the location of all student records, if not centrally located.
- E. When a parent's dominant language is not English, the district shall make an effort to:
 - (1) provide interpretation of the student record in the dominant language of the parent, or
 - (2) assist the parent in securing an interpreter.

3. Parental Consent

- A. The custodian of student records may permit access to student records during regular school hours (a) to any person for whom a student's parent has executed written consent specifying the records to be released and identifying the party or class of parties to whom the records may be released; or (b) to the student, if an eligible student.
- B. The recipient must be notified that the transmission of the information to others without the written consent of the parent is prohibited.
- C. The consent notices shall be kept permanently with the student record.
- D. Upon request, the district shall provide the parent/eligible student with a copy of the record which is disclosed. (34 CFR 9910, Rights of Inspection and Review)

4. Without Parental Consent

- A. No person or agent shall be permitted access to student records without written parental consent or under judicial order, except that access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:
 - (1) Officials and employees of other public schools or school districts, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, where the student intends to or is directed to enroll. The authority of the district or school to transfer education records to a student's new school continues after actual enrollment so long as the disclosure is in connection with the student's enrollment. This ensures that a school may supplement, update, or correct records sent during the student's application or transfer period. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- (1) Authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, State Education Officials, or their respective designees, or the United States Office for Civil Rights where such information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law; provided that except when collection of personally identifiable information is specifically authorized by federal law, any data collected by such officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of federal legal requirements.
- (2) The U.S. Attorney General or designee in response to a court issued ex parte order, under the USA Patriot Act, in connection with the investigation or persecution of an offense listed in U.S.C. 2332b(g)5(B) or an act of domestic or international terrorism crimes. CREC, in response to such an order, is not required to record a disclosure of information, nor acquire consent or notice to the parent or student.
- (3) Other state and local officials to the extent that such information is specifically required to be reported pursuant to state law.
- (5) Parents of a student eighteen (18) years of age or older who is a dependent as defined in Section 152 of the Internal Revenue Code of 1954.
- (6) Schools may disclose information received under a community notification program concerning a student who is required to register as a sex offender in the State.
- (7) An agency caseworker or other representative of a state or local child welfare agency, or tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), who has the right to access a student's case plan, as defined and determined by the state or tribal organization, when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student's education records.

- B. Information from student records may be released to the following:
- (1) Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of other persons. The factors to be considered in determining whether information may be disclosed include the seriousness of the threat to the health or safety of the student or other individuals, the need for the information to meet the emergency, whether the parties to whom the information is disclosed are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency. (34 CFR 99.36, Conditions for disclosure of information in health and safety emergencies).
 - (2) Agencies or organizations in connection with a student's application form or receipt of financial aid, provided that information permitting the personal identification of students or their parents may be disclosed only as may be necessary for such purposes as to determine the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.
 - (3) Accrediting organizations in order to carry out their accrediting functions.
 - (4) Organizations conducting studies for or on behalf of state educational agencies and state higher education authorities, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.

Such disclosure is subject to the following FERPA requirements:

- The district does not have to initiate the research request or agree with or endorse the conclusion or results of the study.
- The district must agree with the purposes of the study and retain control over information from the education records it discloses.
- The district must have a written agreement with the receiving organization that:
 - Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed.

- Requires the organization to use the information from education records only to meet the purpose or purposes of the study stated in the agreement.
 - Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests.
 - Requires the organization to destroy or return all personally identifiable information when no longer needed for purposes of the study.
 - Specifies the time period in which the information must be returned or destroyed.
- C. No person, persons, agency, or organization permitted access to student records pursuant to this regulation shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student's parent; provided, however, that this paragraph shall not be construed to require prior parental consent when information obtained pursuant to this regulation is shared with other persons within the district so long as such persons have an equal legitimate interest in the information.
- D. Education records may be released without consent if all personally identifiable information has been removed. The district must reach a “reasonable determination” that a student’s identity is not personally identifiable because of unique patterns of information about that student, whether through single or multiple releases, taking into account other reasonably available information. Also, de-identified student level data may be released for the purpose of educational research by attaching a code to each record. It may be necessary to look to local news, events, and media coverage in the “school community” in determining, in a highly publicized incident, whether other information would make a particular record personally identifiable even if all direct identifiers have been removed.

5. Court Order

- A. Information concerning a student shall be furnished in compliance with a court order.
- (1) Unless otherwise judicially instructed, the custodian shall, prior to the disclosure of any student's records pursuant to a court order, give the parent

and the student three days' notice, if lawfully possible, within the requirements of the judicial order, of the name of the requesting agency and the specific records requested. Such notice shall be in writing if possible.

- (2) Only those records related to the specific purpose of the court order shall be disclosed.

6. Subpoenaed Records

If a school or program is served with a subpoena issued by competent authority directing the production of school or student records in connection with any court proceeding, the school or program upon which such subpoena is served shall:

- 1) Immediately notify the Custodian of Records
- 2) Immediately notify the student's sending LEA. If the sending LEA informs the school or program that it will notify the student's parent or the adult student and respond to the subpoena, the school or program will transfer a copy of the subpoenaed record to the LEA. Otherwise, the school or program shall:
 - A. Immediately notify the student's parent or the adult student that the record has been subpoenaed; that it must be produced unless a court intervenes to prevent the disclosure; and that unless the school or program receives notice by the subpoena due date that the parent or adult student has obtained a court order preventing disclosure, the record will be produced.
 - B. On the subpoena due date, deliver a copy of the subpoenaed record, sealed in an envelope which shall indicate the name of the school or student, the name of the person who issued the subpoena and the title of the case referred to in the subpoena, to the clerk of the court in which the proceeding is taking place, and obtain a receipt from the clerk of the court.

7. Criteria

The following criteria shall be used in determining whether a "school official or employee" has a "legitimate educational interest" in accessing student records:

- (1) The school official or employee has an instructional or supervisory responsibility toward the student that, in order to be fulfilled requires knowledge of the contents of the student's records.
- (2) The school official or employee has an administrative duty that requires information contained in the student's records.

- (3) The school official or employee is engaged in a disciplinary proceeding that requires disclosure of all or part of the student's records in order to come to a just conclusion.

The district and/or school shall use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom they disclose education records.

Challenging Contents of Records

PARENTS WISHING TO CHALLENGE THE CONTENTS OF STUDENT RECORDS MUST CONTACT THE SENDING LEA

Directory Information

1. The following student information is declared to be directory information:
 - A. Name
 - B. Address
 - C. Major field of study
 - D. Participation in officially recognized activities and sports
 - E. Grade level
 - F. Weight and height of members of athletic teams
 - G. Dates of attendance
 - H. Degrees and awards received
2. Except where consent is withheld by the parent/student, directory information may be released to the following:
 - A. Federal, state and local governmental agencies
 - B. Military recruiters or institutions of higher learning that have requested the names, addresses, and telephone numbers of secondary school students unless parental consent is denied.
3. The names and addresses of students enrolled in grade 12 may be provided, in accordance with the terms of the law, to post-secondary institutions cooperating under state law.
4. Notice shall be given annually of the categories of information which the school district plans to release and of the recipients.
5. A student does not have the right to remain anonymous in class and an opt-out may not be used to impede routine classroom communications and interactions, whether the class is held in a specified physical location or online through electronic communications.

Access Log

1. A log or record shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interests.
2. Such listing need not include the following:
 - A. Parents or students to whom access is granted.
 - B. Parties to whom directory information is released.
 - C. Parties for whom written consent has been executed by the parent or guardian.
 - D. School officials or employees having a legitimate educational interest.
3. The log or record shall be open to inspection only by a parent or guardian and the custodian of student records, or the custodian's designee, and to other school officials with legitimate interests in the records, and to the Comptroller General of the United States, the Secretary of the Office of Education, an administrative head of an education agency as defined in 20 U.S.C. 1232g., and state educational authorities as a means of auditing the school system's operations.

Fee for Reproducing Records

1. A fee based upon the actual cost of reproduction, handling and postage (if any) may be charged for furnishing copies of any student record.
2. The custodian of student records annually shall recommend a fee schedule for approval by the CREC Council.
3. No fee shall:
 - A. effectively prevent the parents or guardians from exercising their right to inspect and review student records.
 - B. be charged for searching or retrieving a student's record.

Transfer of Student Records

Whenever a student transfers to another public, private, charter, or magnet school, the student's records are returned to the sending LEA for transmission to the new school. In cases of transfers from one CREC school to another, the student's records are sent directly to the new school.

Expungement of Records Pertaining to Suspension and/or Expulsion

1. Suspension

Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived as permitted by Statute, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.

2. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine to twelve based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the CREC Council if the student graduates from high school.

Notification of Parents

1. Parents shall be notified in writing of their rights under this regulation upon the date of the student's initial enrollment, and annually thereafter. The notice shall be in a form which reasonably notifies parents of the availability of the following specific information:
 - A. The type of student records and information contained therein which are directly related to students and maintained by the school system.
 - B. The position of the person responsible for the maintenance of each type of record.
 - C. The location of the log or record required to be maintained.
 - D. The criteria to be used by the school district in defining "school officials and employees" and in determining "legitimate educational interest."
 - E. The policies of the school district for reviewing and expunging student records, including the right to inspect and review the student's education records within 45 days of the day the school district receives a request. If circumstances effectively present the parent or eligible student from exercising the right to inspect and review the student's education records, the district shall provide a copy of the records requested or make other arrangements for the inspection or review of the requested records.
 - F. The right of the parent or guardian to access (inspect and review) to student records.

- G. The policy that no fee will be charged for up to two copies of a record.
- H. The categories of information which the school district has designated as directory information and that pursuant to federal law, military recruiters and institutions of higher learning may request and receive names, addresses of all high school students, unless their parents/guardians notify the school, in writing, not to release this information.
- I. The right of the parent to file a complaint with the United States Department of Education concerning an alleged failure by the school system to comply with the provisions of Section 438 of the Federal Education Provisions Act (20 U.S.C.A. 1232g).
- J. The right to consent to disclosures of personally identifiable information contained in the student education record, except to the extent that FERPA authorizes disclosure without consent.

Issue/Practice of Peer Grading

The definition of “education records” excludes grades on peer-graded papers before they are collected and recorded by a teacher. Peer-grading does not violate FERPA.

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Hartford, Connecticut