Hickman County Board of Education

	Descriptor Term: **Student Records**	Descriptor Code: **6.600**	Issued Date: **08/07/23**
		Rescinds: **6.600**	Issued: **06/07/21**

A cumulative record shall be kept for each student enrolled in school. The folder shall contain a health record, attendance record, and scholarship record; shall be kept current; and shall accompany the student through his/her school career.[1]

The name used on the record of the student entering the school system must be the same as that shown on the birth certificate, unless evidence is presented that such name has been legally changed. If the parent does not have, or cannot obtain a birth certificate, then the name used on the records of such student shall be as shown on documents which are acceptable as proof of date of birth.

The name used on the records of a student entering the system from another school must be the same as that shown on records from the school previously attended unless evidence is presented that such name has been legally changed as prescribed by law.

~~When a student transfers to another school within the system, copies of the student's records, including the student's disciplinary records, shall be sent to the transfer school.[2]~~

~~When a student transfers to a school outside the system, copies of the student's records, including the student's disciplinary records, shall be sent to the transfer school.[2]~~

When a student transfers to another school within the school district or to a school outside of the school district, copies of the student's records, including the student's disciplinary records, shall be sent to the transfer school within five (5) business days of the date on which the student's records request was received by the school.[2]

All records shall be remitted in accordance with the Family Education Rights and Privacy Act (FERPA).[3]

ACCESS TO STUDENT RECORDS

Student records shall be confidential. Authorized school officials shall have access to and permit access to student education records for legitimate educational purposes.[4] A "legitimate educational interest" is the official's need to know information in order to:

1. Perform required administrative tasks;
2. Perform a supervisory or instructional task directly related to the student's education;
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

Authorized school officials may release information from or permit access to a student's education record without the parent(s) or eligible student's* prior written consent in the following instances:

1. To comply with a judicial order or lawfully issued subpoena. The school system will make a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure;[5]

2. If the disclosure is an item of directory information;[6]

3. To comply with the requirements of child abuse reports to the extent known by the school officials including the name, address, and age of the child; the name and address of the person responsible for the care of the child, and the facts requiring the report;[7]

4. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally-supported education programs in the school system;[8]

5. When the school system has entered into a contract or written agreement for an organization to conduct scientific research on the system's behalf to develop tests or improve instruction, provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purpose for which the study was conducted;[9]

6. To appropriate officials if the parent(s) claim the student as a dependent as defined by the Internal Revenue Code;[10]

7. To accrediting organizations to carry out their accrediting functions;[11]

8. When a student seeks or intends to enroll in another school district or a post-secondary school. Parent(s) of students or eligible students have a right to obtain copies of records transferred under this provision;[12]

9. To financial institutions or government agencies that provide or may provide financial aid to a student in order to establish eligibility, to determine the amount of financial aid, to establish conditions for the receipt of financial aid, and to enforce financial aid agreements;[13]

10. To make the needed disclosure in a health or safety emergency when warranted by the seriousness of the threat to the student or other persons, when the information is necessary and needed to meet the emergency, when time is an important and limiting factor, and when the persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency;[14]

11. To the Attorney General or his designee for official purposes related to the investigation or prosecution of an act of domestic or international terrorism. An educational agency that, in good faith, produces education records in accordance with an order issued under this Act shall not be liable to any person for that production;[15]

12. To any agency caseworker or other representative of a state or local child welfare agency or tribal organization authorized to access the student's educational records when such agencies or organizations are legally responsible for the care and protection of the student;[16]

Authorized school officials may release information from a student's education record if the student's parent(s) or the eligible student gives written consent for the disclosure. The written consent must include:[17]

1. A specification of the records to be released;

2. The reasons for the disclosure;

3. The person, organization, or class of persons or organizations to whom the disclosure is to be made;

4. The signature of the parent(s) or eligible student;

5. The date of the consent and, if appropriate, a date when the consent is to be terminated. The student's parent(s) or the eligible student* may obtain a copy of any records disclosed under this provision.

The school system will maintain an accurate record of all requests to disclose information from or to permit access to a student's education records. The system will maintain an accurate record of information it discloses and access it permits. The system will maintain this record as long as it maintains the student's education record.[18]

The record will include at least:[18]

1. The name of the person or agency that makes the request;

2. The interest the person or agency has in the information;

3. The date the person or agency makes the request; and

4. Whether the request is granted and, if it is, the date access is permitted or the disclosure is made.

** The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post-secondary school, at which time all of the above rights become the student's right.*

Legal References

1. 20 USCA § 1232g; TCA 10-7-503, 504; TRR/MS 0520-01-03-.03(11)
2. TCA 49-6-3001(c)(1); Public Acts of 2025, Chapter No. 156
3. TCA 49-1-701, et seq.
4. TCA 10-7-504(a)(4); 20 USCA § 1232g
5. 20 USCA § 1232g(b)(2)(B)
6. 20 USCA § 1232g(b)(2); TCA 10-7-504(a)(4)(A)
7. TCA 37-1-403
8. 20 USCA § 1232g(b)(3)
9. 20 USCA § 1232g(b)(1)(F)
10. 20 USCA § 1232g(b)(1)(H)
11. 20 USCA § 1232g(b)(1)(G)
12. TRR/MS 0520-01-03-.03(9)
13. 20 USCA § 1232g(b)(1)(D)
14. 20 USCA § 1232g(b)(1)(I)
15. 20 USCA § 1232g(j); USA Patriot Act of 2001 § 507
16. 20 USCA § 1232g
17. 34 CFR § 99.30
18. 34 CFR § 99.32(a)

Cross References

School District Records 1.407
Promotion and Retention 4.603
Testing Programs 4.700
Attendance 6.200
Withdrawals 6.207
Child Custody/Parental Access 6.209
Bus Safety and Conduct 6.308
Corporal Punishment 6.314
Disciplinary Hearing Authority 6.317
Admission of Suspended/Expelled Students 6.318
AIDS 6.404