Hickman County Board of Education

	Descriptor Term: **Student Records**	Descriptor Code: **6.600**	Issued Date: **02/04/19**
		Rescinds: **6.600**	Issued: **07/07/14**

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]

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)
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

Hickman County Board of Education

	Descriptor Term: **Student Records Annual Notification of Rights**	Descriptor Code: **6.601**	Issued Date: **02/04/19**
		Rescinds: **6.601**	Issued: **04/06/15**

Within the first three weeks of each school year, the school system shall notify parent(s) of students and eligible students* of each student's privacy rights.[1] For students enrolling after the above period, this information shall be given to the student's parent(s) or the eligible student at the time of enrollment.[2] The notice shall include the right of the student's parent(s) or the eligible student to:

1. Inspect and review the student's education records;
2. Seek correction of items in the record which are believed to be inaccurate, misleading or in violation of the student's rights, including the right to a hearing upon request;
3. File a complaint with the appropriate state or federal officials when the school system violates laws and regulations relative to student records;
4. Obtain a copy of this policy and a copy of the student's educational records;
5. Exercise control over other people's access to the records, except when prior written consent is given, or under circumstances as provided by law or regulations, or where the school system has designated certain information as "directory information." Parent(s) of students or eligible students have two weeks after notification to advise the school system in writing of items they designate not to be used as directory information. The records custodian shall mark the appropriate student records for which directory information is to be limited, and this designation shall remain in effect until it is modified by the written direction of the student's parent(s) or the eligible student.

DIRECTORY INFORMATION

"Directory information" means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to the student's name, address, telephone number, e-mail address, photograph, date and place of birth, dates of attendance, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended.[3]

Student directory information for 11th and 12th graders shall be made available upon request to persons or groups which make students aware of occupational and educational options, including official recruiting representatives of the military forces of the State and the United States.[4]

**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 rights.*[5]

Legal References

1. 34 CFR §§ 99.4, 99.7; TCA 49-1-703
2. 34 CFR § 99.7
3. 34 CFR § 99.3
4. TCA 49-6-406; 10 USCA § 503(c)
5. 34 CFR §§ 99.3, 99.5; TCA 49-1-704

Hickman County Board of Education

	Descriptor Term: **Student Records Inspection & Correction Procedure**	Descriptor Code: **6.602**	Issued Date: **02/04/19**
		Rescinds: **6.602**	Issued: **04/06/15**

INSPECTION PROCEDURE

Parent(s) of students and eligible students* may inspect and review the student's education records upon written request.[1]

Parent(s) or eligible students shall submit to the records custodian a request which identifies as precisely as possible the record(s) to inspect, and this inspection must be completed within 45 days from the receipt of the request.

The right to inspect and review educational records includes the right to a response from school officials concerning requests for explanation and interpretation of the data. School officials shall presume that the parent has the authority to inspect and review records relating to his/her child unless the school sys - tem has been advised that the parent does not have the authority under applicable state law governing guardianship, separation, and divorce.[2]

When a record contains information about students other than the parent's child or the eligible student, the parent(s) or eligible student may not inspect and review that information.[2]

FEES FOR COPIES

A reasonable fee for copies provided to parent(s) or eligible students shall be determined by the director of schools. If the fee represents an unusual hardship, it may be waived in part or entirely by the records custodian.[3]

CORRECTION PROCEDURES

Parent(s) of students or eligible students may seek to change any part of the student's record they believe to be incorrect.[4] The director of schools shall develop an acceptable procedure to establish an orderly process to review and potentially correct an education record.

**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 rights.*

Legal References

1. 34 CFR §§ 99.3, 99.10; TCA 49-1-704
2. 34 CFR § 99.4
3. 34 CFR § 99.11
4. 34 CFR §§ 99.20, 99.21, 99.22

Hickman County Board of Education

	Descriptor Term: **Directory Information Procedure**	Descriptor Code: **6.6031**	Issued Date: **03/05/19**
		Rescinds: **6.6031**	Issued: **08/02/99**

Statistical information not identified with a particular student may be released to any person, agency, or the public.[1]

"Directory Information" relating to a student includes the following: name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received and the most recent or previous educational agency or institution attended by the student.[2]

Within the first three weeks of each school year, the school district will notify parents and eligible students* of the items it proposes to designate as "directory information." For students enrolling after this notice is published, a list of the directory items will be given to the student's parent(s) or eligible student at the time and place of enrollment.[3]

After the parent(s) or eligible students have been notified, they will have two weeks to advise the school system in writing (a letter to the director of schools' office) of any or all of the items they refuse to permit the school system to designate as directory information about that student. At the end of the two-week period, each student's records will be appropriately marked by the records custodian to indicate the items the school system will designate as directory information about that student. This designation will remain in effect until it is modified by the written direction of the student's parent(s) or the eligible student.[3]

Student directory information for 11th and 12th graders shall be made available upon request to persons or groups which make students aware of occupational and educational options, including official recruiting representatives of the military forces of the State and the United States.[4]

**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 rights.*

Legal References

1. TCA 10-7-504(b)
2. 20 USCA 1232g(a)(5)(A)
3. 20 USCA 1232g(a)(5)(B)
4. TCA 49-6-406

Hickman County Board of Education

	Descriptor Term: **Media Access to Students**	Descriptor Code: **6.604**	Issued Date: **03/05/19**
		Rescinds: **6.604**	Issued: **08/02/99**

School administrators shall be authorized to grant permission and set parameters for media access to students in their respective schools. Media representatives shall be required to report to the administration for prior approval before accessing students involved in instructional programs and activities not attended by the general public. The media may interview and photograph students involved in instructional programs and school activities including athletic events. Such media access shall not be unduly disruptive and shall comply with Board policies.

Each year parents/guardians will be given the option to withhold permission for public news media interviews or photographs of their child at school.

Specific parental/guardian permission must be obtained if the story or photograph covers topics of a sensitive nature.

If any student is to be filmed or videotaped and will be identified or a primary subject of the filming or videotaping, prior written consent/release/waiver will be obtained from the student's parent/guardian.

District employees may release student information to the media only in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information.[1]

Parents will be advised of the Board's media access to students policy at the time of the student's registration and each fall in the student/parent handbook.

Legal References

1. 20 USCA § 1232g; TRR/MS 0520-01-03-.03(11)

Cross References

News Releases, News Conferences, and Interviews 1.503

Hickman County Board of Education

	Descriptor Term: **Student Publications**	Descriptor Code: **6.704**	Issued Date: **03/05/19**
		Rescinds: **6.704**	Issued: **08/02/99**

STUDENT RIGHTS

The student shall be allowed to responsibly express himself/herself and to disseminate his/her views in writing.[1]

Any student may submit articles and editorials for school-sponsored publications. The procedure for submission of materials shall be published and distributed to all students.

STANDARDS

School-sponsored publications shall adhere to commonly accepted community standards, and no printed material may be distributed which:

1. Is obscene[3]
2. Is libelous
3. May create a material and substantial disruption of the normal school activity or appropriate discipline in the school.

CONTROL AND SUPERVISION

Student publications shall be under the control of the principal. Each school shall have a faculty sponsor who reviews all publications proposed to be distributed in the school by a student or school group.[2]

DISTRIBUTION

School authorities shall regulate the time, manner, place and duration for the distribution of publications on school grounds.

As it pertains to the school, distribution shall be defined as any manner of disseminating written or printed materials equally, systematically or merely at random to several or many persons on school grounds.

APPEALS

If a request for distributing any portion of a student publication is denied by the faculty sponsor, the decision may be appealed to the principal, then to the director of schools, and ultimately to the Board.

Legal References

1. U.S. Constitution, Amendment 1
2. *Tinker v. Des Moines Independent Community District*, 393 U.S. 503 (1969)
3. *Shamley v. Northwest Ind. School District*, 462 F. 2d 960, 970-71, 5th Cir., 1972

Cross References

Use of Copyrighted Materials 4.404
Use of the Internet 4.406
Web Pages 4.407
Controversial Issues 4.800

Hickman County Board of Education

	Descriptor Term: **Student Fees and Fines**	Descriptor Code: **6.709**	Issued Date: **03/05/19**
		Rescinds: **6.709**	Issued: **03/06/17**

School fees are defined as follows:[1]

1. Fees for activities that occur during regular school hours, including field trips;
2. Fees for activities and supplies required to participate in all courses offered for credit or grades;
3. Equipment and supplies required to participate in interscholastic athletics and marching band, if taken for credit;
4. Fees or tuition for courses taken for credit or grade during summer school;
5. Fees required for graduation ceremonies;
6. Fees for a copy of the student's records; and
7. Refundable deposits for locks or other security devices required for protection of school property when used in conjunction with courses taken for credit or a grade.

School fees are not:[1]

1. Fines for overdue library books;
2. Fines for the abuse of school parking privileges and other school rules developed for the safe and efficient operation of the school;
3. Charges for lost, damaged, or destroyed textbooks, library books, workbooks, or other school property;
4. Charges for debts owed the school;
5. Refundable deposits for locks or other security devices required for protection of school property when used in not-for-credit extracurricular activities;
6. Costs to participate in not-for-credit extracurricular activities, including athletics; and
7. Tuition for non-resident students.

No fee will be charged any student as a condition to attending school,[2] but students shall be responsible for normal school supplies, such as pencils and paper.

School fees shall be waived for students who receive free or reduced-price school lunches. The application for determining eligibility for free or reduced-price lunches or a form supplied by the State Department of Education shall be used to verify student eligibility for fee waivers.

At the beginning of the school year, each principal shall be responsible for providing to all students and their parents or guardians written notice of the required student fees and the process for fee waiver for students who receive free or reduced-price lunches. The parent or guardian of an eligible student must sign the appropriate application for free or reduced-price lunches and the waiver of school fees, but may pay for all or a portion of the school fees.

Written notice of approval or denial of request for fee waivers shall be provided to all parents or guardians. Any denial shall contain specific grounds for denial and an opportunity for the parent or guardian to meet with appropriate school personnel.

Persons collecting fees shall be provided a list containing only the names of those students eligible for waivers and for whom they are responsible for collecting fees. Any records related to this program which identify particular students shall be maintained in strictest confidence.

Prior to the beginning of school each year, the Board, upon the recommendation of the principals and superintendent, shall approve all student fees for the upcoming school year. Additional fees may be approved during the year as needed. The superintendent shall be responsible for maintaining copies of all correspondence relating to this program.

No employee may charge a student for any service rendered on the school premises. Tutoring one's own student for pay is prohibited.

FINES[3]

Students who destroy, damage, or lose school property, including but not limited to buildings, school buses, books, equipment, and records, will be responsible for the actual cost of replacing or repairing such materials or equipment.

The grades, grade cards, diploma or transcript of a student who is responsible for vandalism or theft or who has otherwise incurred a debt to a school may be held until the student or the student's parent/guardian has paid for the damages. When the student and parent are unable to pay the debt, the district shall provide a program of voluntary work for the minor. Upon completion of the work, the student's grades, diploma, and/or transcripts shall be released. Such sanctions shall not be imposed if the student is not at fault.[4]

Failure to remit the cost of replacing or repairing such materials or to make satisfactory arrangements with the administration for payment may result in suspension of the student. If payment is not remitted, the matter will be referred to the Board for final disposition.

Textbooks are available free to students as a loan. Parent(s) will accept full responsibility for the proper care, preservation, return, or replacement of textbooks issued to the student(s). The condition of each book and a book number shall be recorded by the teacher issuing it.

The life of the book is considered to be six (6) years. Charges for lost books will be the remaining life of the book. Damage fines will be based on the wear beyond that normally expected for one year. For one year's wear there will be no charge.

Fines may be assessed for overdue, damaged, or lost library books. In no event will the fine exceed the current cost of replacing the book.

Legal References

Cross References

1. TCA 49-2-114; TRR/MS 0520-01-03-.03(13)
2. TCA 49-6-3001(A); TCA 49-2-110(c)
3. TCA 37-10-101, 102
4. TRR/MS 0520-01-03-.03(13)

Revenues 2.400
Textbooks 4.401
Care of School Property 6.311