

## **Student Records/Release of Information on Students** (Review, Amendment and Hearing Procedures)

In accordance with policy JRA/JRC, this regulation contains the procedures to follow when a parent or eligible student seeks to review or challenge the content of student education records.

### **Request to review student education records**

1. The parent or eligible student shall submit a written request to the BOCES executive director, asking to review the student's education records.
2. Upon receipt of the written request, the executive director or designee shall set a date and time for inspection and review of the records (usually within three working days after the request has been made).
3. The parent or eligible student shall examine the student's education records in the presence of the executive director and/or other person(s) designated by the executive director. The record itself shall not be taken from the school or BOCES building.
4. During inspection and review of student education records by a parent or eligible student and when requested by them, the executive director will provide personnel necessary to give explanations and interpretations of the records.
5. Upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student at a cost of \$0.25 per page.

### **Request to amend student education records**

1. The parent or eligible student shall submit a written request to the executive director, clearly identifying the part of the record to be amended and specifying why the record is inaccurate, misleading or otherwise violates the student's privacy rights.
2. The written request to amend the student's education records must be made in writing within 10 school days of the date the records were first examined by the parent or eligible student, unless additional time is granted by the BOCES for good cause shown.
3. If the executive director denies the request to amend the student education record, the executive director shall notify the parent or eligible student of the decision and advise him or her of the right to a hearing to appeal the denial.

### **Request for a formal hearing**

A request for a formal hearing must be made in writing and addressed to the executive director. The BOCES's response to the request shall be mailed within 10 school days.

The hearing shall be held in accordance with the following:

1. The hearing will be held within 25 school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent or eligible student by certified mail.
2. The hearing will be conducted by a BOCES administrator or other BOCES or school district official as designated in writing by the executive director. The official conducting the hearing shall not be the administrator who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
3. Parents or eligible students shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
4. The official designated above shall make a decision in writing within 20 school days following the conclusion of the hearing and shall notify the parent or eligible student of that decision by certified mail.
5. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
6. The decision shall include a statement informing the parents or eligible student of the right to place in the student education record a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the BOCES. If the student education record is disclosed by the BOCES to any other party, the explanation shall also be disclosed to that party.

Adopted: January 12, 2017