

INDEPENDENT SCHOOL DISTRICT 2396
PUBLIC NOTICE
Annual Notification of Rights
Protection and Privacy of Student Records

Pursuant to the requirements of the ACGC Public School District's Policy on data privacy regarding the "Protection and Privacy of Student Records" and the requirements of Federal law (45 Code of Federal Regulations Section 99.6), the following constitutes the School Districts' Annual Notification to parents and students regarding data privacy practices of the School District.

The School District has adopted a Student Records Data Privacy Policy incorporating state and federal requirements as to data privacy rights in student educational records. The policy provides the following:

A. Privacy Rights

In general, educational records that identifies or could be used to identify a student, other than directory information, may not be released to members of the public without the written permission of the student's parent, guardian, or the eligible student. Educational information that is collected on all students, such as standardized tests, will be obtained without the prior written permission of the student's parent, guardian, or the eligible student if he/she is eighteen or over or attends a post-secondary institution. This type of information is collected to assist in educational planning or evaluation. The parents, guardian, or eligible student are not legally required to allow the collection of this information. However, if the parent, guardian, or eligible student refuses to allow the school to collect the information, the school will be unable to plan and evaluate the educational program of the student in question adequately. Under limited circumstances, specific persons or entities such as the State Department of Education are authorized to review this information without the consent of the parents, guardian, or eligible student.

B. Inspection of Records

Parents of a student or a student who is 18 or older may request to inspect and review any of the student's educational records except those that are, by state or federal law, made confidential. The School District will comply with the request immediately, if possible, and if not, within five days exclusive of weekends and holidays. In certain special circumstances an additional five days may be required in order to comply. Copies of records may be obtained at \$.10 per page.

C. Challenge to Accuracy of Records

A parent or student age 18 or older who believes that specific information in the student's educational records is inaccurate, misleading, incomplete or violates the privacy or other rights of the student, may request that the School District amend the record in question.

If the Superintendent of Schools, within a period of 30 days, declines to amend the record as requested, the parent or student who is 18 or older will be advised in writing of their right to request and obtain a hearing.

If either the Superintendent of Schools or, after hearing, the hearing officer appointed by the School District, determines that the record in question is inaccurate, misleading, incomplete or violates the privacy or other rights of the student, the record will be amended, the parents or student age 18 or older notified of the change, and an attempt will be made to notify past recipients of the data.

If, as a result of the hearing, it is determined that the challenged record is not inaccurate, misleading, incomplete or in violation of the privacy or other rights of the student, the parent or student of age 18 or older will be notified of their rights to place a statement with the record commenting upon it and setting out any reason for disagreeing with the decision of the School District.

The decision of the Superintendent of Schools or hearing officer is the final decision of the School District and may be appealed under the provisions of the State Administrative Procedure Act, Minnesota Statute C 15, relating to contested cases.

D. Transfer of Records to Other Schools

Independent School District No. 2396 forwards educational records of students to other schools and School Districts in which a student seeks or intends to enroll upon request of that school or School District. A parent or student who is 18 years of age may request and receive a copy of the records that are transferred and may, pursuant to this policy, challenge the accuracy of the records. However, any request for copies or

challenges to records transferred must be received prior to the forwarding of records. The District does not, however, notify parents or students of age 18 or older prior to such transfer.

E. Complaints for Non-Compliance

Parents and students of age 18 or older may submit written complaints of violation of rights accorded them by 20 U.S.C. Section 1232(g) to the Family Education Rights and Privacy Act Office, U.S. Department of Education, Room 4511, Switzer Building, Washington, D.C. 20202.

This review of the data privacy rights of students and parents in the educational records maintained by Independent School District 2396 is intended only to be a summary of the provisions of School District Policy on data privacy and applicable state and federal law.

Requests for copies of the Policy and questions should be addressed to the Superintendent of Schools, 27250 MN State Hwy 4, Grove City, MN 56243-5003.

Jeanna Lilleberg, District Clerk
ACGC Public School
Independent School District #2396