

Student Educational Records Parental Disclosure & Amendment Procedures (A6ea.v01)

Reviewing an Educational Record

All NDCDE student educational records are stored electronically. NDCDE will comply with a parent/guardian/eligible student's right to inspect educational records. This right will be granted using the following procedure:

1. A request to view an educational record shall be granted by the deadline in law (45 days).
2. A request may be made verbally or via email to the director of learning, dean of students, assistant superintendent, or state director. If a teacher or other employee receives such a request, s/he shall forward it to one of these administrators.
3. The administrator overseeing the review shall confirm the requesting party's eligibility to review the record. To confirm eligibility, the administrator shall either verify the requestor's email address with the student's school or require the requestor to submit/show a form of state or federally-issued identification to verify their identity. The requestor may be required to show/provide a birth certificate or other legally binding paperwork to verify their status as a parent or guardian to the student of record.
4. Upon confirmation of eligibility, the administrator shall provide the requestor with access to the record electronically through a read only link, authorize reviewer access to the record in the NDCDE student information system, email the record requested, or print a copy and mail it. The format of the record is determined solely by NDCDE based on what is most accessible to the requesting party, where in the NDCDE ecosystem is housed, and whether electronic access is feasible. Any link provided to a requestor shall be set to expire within a reasonable window of time to protect the security of the record.

Amending an Educational Record

A parent/guardian/eligible student has the right to request an amendment to any portion of the educational record s/he believes to be inaccurate, misleading, or in violation of the student's right to privacy. A parent/guardian /eligible student shall use the following procedure to dispute or request an amendment to an educational record. This procedure shall not be used to dispute a grade, disciplinary decision, or opinions/reflections of a school official contained in an educational record.

1. Any request to amend an educational record may be made verbally or via email to the director of learning, dean of students, or assistant superintendent. If a teacher or other employee receives such a request, s/he shall forward it to one of these administrators.
2. The administrator shall review the request within a reasonable time and approve or deny it. The administrator's decision shall be submitted to the parent/guardian/eligible student. If the administrator denies the amendment request, s/he shall inform the parent/guardian/eligible student of his/her right to request an appeals hearing.
3. Requests for an appeals hearing shall be submitted to the NDCDE state director. The hearing shall be held within a reasonable time after the appeal request has been made.
4. The NDCDE state director shall serve as the hearing officer. A representative of the parent/guardian/eligible student's choosing may accompany the parent/guardian/eligible student at the parent/guardian/eligible student's expense. The parent/guardian/eligible student shall have a full and fair opportunity to present evidence related to the

amendment request.

5. The NDCDE state director's decision is final and binding and shall be submitted to the parent/guardian/eligible student at a reasonable time after the hearing.
6. If the NDCDE state director denies the amendment request, s/he will notify the parent/guardian/eligible student within a reasonable time of his/her right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

End of policy

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