

Students

Student Records

School student records are confidential and information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by NDSEC (alternatively referred to as “the Cooperative”) or at its direction by a NDSEC employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member’s sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 17 years who has been arrested or taken into custody.

The Cooperative shall maintain only those student records necessary to provide special education evaluations, instruction, and services to a student during a student’s participation in a Cooperative program. The Cooperative shall return all student records in its possession to the student’s district of residency upon exit of the student from the Cooperative’s programs.

State and federal law grant students, parents/guardians, and when applicable, the Ill. Dept. of Children and Family Services’ Office of Education and Transition Services, certain rights, including the right to inspect, copy, and/or challenge school student records. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The Cooperative is authorized to disclose school student records without parent consent to the official records custodian of a school district in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law.

The Executive Director shall fully implement this policy and designate an *official temporary records custodian* for each school and program who shall maintain and protect the confidentiality of the school student records of students receiving services from the Cooperative. The Executive Director shall inform staff members of this policy and inform students and their parents/guardians of their rights regarding school student records.

The Executive Director or designee shall develop procedures to implement this policy consistent with State and federal law.

- LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.
50 ILCS 205/7.
105 ILCS 5/10-20.21b, 5/20.40, and 5/14-1.01 et seq.
105 ILCS 10/, Illinois School Student Records Act.
105 ILCS 85/, Student Online Personal Protection Act.
325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.
750 ILCS 5/602.11, Ill. Marriage and Dissolution of Marriage Act.
23 Ill. Admin. Code Parts 226 and 375.
Owasso I.S.D. No I-011 v. Falvo, 534 U.S. 426 (2002).
Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).
- CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct)
- ADMIN. PROC.: 7:15-E (Notification to Parents of Family Privacy Rights), 7:340-API (School Student Records), 7:340-AP2 (Storage and Destruction of School Student Records)

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