



FERPA & Student Record Policy

Purpose

ABLE Academy maintains student records in compliance with the **Family Educational Rights and Privacy Act (FERPA)**, the **Illinois School Student Records Act (105 ILCS 10/)**, and all applicable federal and state regulations. The Board affirms its commitment to safeguarding the confidentiality, accuracy, and appropriate use of student records.

Definitions

Permanent Record:

Includes basic identifying information, academic transcript, attendance record, health record, and accident reports. Must be maintained for **60 years** after the student's withdrawal or graduation.

Temporary Record:

Includes all other information related to the student (e.g., evaluations, IEPs, discipline reports, test data, incident forms). Must be maintained for **at least 5 years** after withdrawal, transfer, or graduation.

Health & Safety Records:

Medical documentation maintained in accordance with state and federal requirements.

Parental and Student Rights

Parents/guardians and eligible students (age 18 or older) have the right to:

- Inspect and review the student's educational records within **10 business days** of a written request.
 - Request copies of records (a reasonable fee may be charged for copying).
 - Request amendment of records believed to be inaccurate, misleading, or in violation of privacy rights.
 - Receive **annual notification** of these rights through the Student/Parent Handbook and ABLE Academy's website.
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Record Amendment or Challenge Process

Parents/guardians or eligible students may request in writing that ABLE Academy amend records believed to be inaccurate, misleading, or in violation of privacy rights.

The Executive Director will review the request and issue a written response within **10 business days**.

If the request is denied, the parent/guardian or eligible student may provide a written statement of disagreement, which will become part of the student's record and will accompany the contested information in any future disclosures.

Confidentiality and Access

Student records are confidential and may only be disclosed as permitted by law.

Written parental consent is required before records are released to outside parties, except where FERPA and ISSRA permit disclosure without consent, including but not limited to:

- School officials with legitimate educational interests,
- Officials of another school where the student seeks or intends to enroll,
- In cases of health and safety emergencies,
- To the Illinois State Board of Education or authorized representatives for compliance monitoring,
- To juvenile authorities, court orders, or as otherwise authorized by law.

A **Record of Access Log** must be maintained for each student file, listing all individuals or entities (other than parents and authorized staff) who have accessed the record.

Transfer of Records

In accordance with federal and state law, ABLE Academy will transfer a student's records to another school, district, or program upon written request from that institution.

Parents/guardians will be notified of the transfer and may request a copy of the released records.



Destruction of Records

Student records will be destroyed in accordance with state and federal timelines:

- **Permanent records** are retained for 60 years.
- **Temporary records** are retained for at least 5 years after withdrawal, transfer, or graduation.

Prior to the destruction of any temporary record, the parent/guardian and eligible student will receive written notice and have the opportunity to review or copy the records.

Oversight and Security

The **Executive Director** serves as the official Records Custodian and is responsible for ensuring that:

- Records are stored securely in locked or password-protected systems.
- Access is restricted to authorized personnel with a legitimate educational interest.
- Data integrity and confidentiality are maintained at all times.
- Physical and electronic safeguards are in place to prevent unauthorized access or disclosure.

The Board and administration will review this policy at least **every two years**, or sooner if required by law.

Legal References

- Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g; 34 CFR Part 99
- Illinois School Student Records Act, 105 ILCS 10/
- 23 Ill. Admin. Code §375 (Student Records)



- 23 Ill. Admin. Code §401.260 (Nonpublic Special Education Programs)