

TITLE: MCS Governance Board Policy J-003: STUDENT RECORDS

LEGAL REFERENCE:

TITLE 34, PART 99	Family Educational Rights and Privacy Act
§22-21-2 NMSA 1798	Prohibition on the sale or use of student, faculty and staff lists in direct marketing; remedies
6.10.6 NMAC	Prohibition on the sale or use of lists in direct marketing; definition of "legitimate educational purposes"

PURPOSE:

The McCurdy Charter School (MCS) Governance Board recognizes that the protection of student information must be balanced with the need by educators to assess performance and needs.

POSITION:

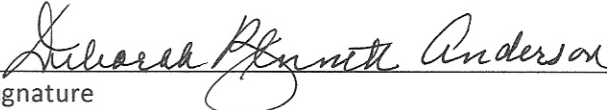
- A. MCS will protect information about students and their families from improper release, while satisfying the need for school officials to make sound management, instructional, and service decisions.
- B. A MCS student's records shall be open to review by the student's parents/legal guardians and/or the student and shall be treated as prescribed by the Family Educational Rights and Privacy Act of 1974 (FERPA) as amended, state statute and state regulation. If there are apparent conflicts among the various statutes, the provisions of FERPA shall prevail.
- C. MCS shall NOT sell or use student, faculty or staff lists with personal identifying information for the purpose of marketing goods or services directly to students, faculty or staff or their families by means of telephone or mail.
- D. As required in the Inspection of Public Records Act, MCS will be responsible for (1) receiving and responding to requests to inspect public records; (2) providing proper and reasonable opportunities to inspect public records; and (3) providing reasonable facilities to make or furnish copies of the public records during usual business hours.
- E. The MCS Director will establish procedures to implement this policy.

REVIEW:

This policy shall be reviewed in accordance with the MCS Governance Board Policy Review Process.

RESPONSIBLE OFFICE: MCS Policy & Bylaws Committee Chairperson

DATE ADOPTED: 062512


 Signature _____ Date Signed 6/25/12
 MCS Governance Board Chairperson

RELATED DOCUMENTS:

REVISIONS:

Date	Modification and why
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MCS KEY WORDS OR RELATIONSHIP: student records