



CITY SCHOOL DISTRICT OF ALBANY INSPECTION AND COPYING OF RECORDS

Section I Designation of Officers

The following officers are designated for the purpose of this regulation:

1. Records Access Officer: The Records Access Officer shall be _____, whose office is located in Joseph Henry Memorial Building, Academy Park, Albany, New York 12207.
2. Fiscal Officer: The Fiscal Officer shall be _____ Internal Auditor, whose office is located in Joseph Henry Building, Academy Park, Albany, New York 12207.

Section II Location for Submission of Request for Inspection of Copies of Records

The following office is designated to receive requests for inspection and copies of records of the district:

Business Office, Central Administration Building, City School District of the City of Albany, New York, Joseph Henry Memorial Building, Academy Park, Albany, New York, 12207

Section III Times When Records are Available

Requests to inspect or secure copies of district records may be made at the office set forth in Section II of this regulation on any district business day between the hours of 9:30 a.m. and 12 noon, and the hours of 1:30 p.m. and 4:00 p.m.

Section IV Procedures

The following procedures shall be followed in connection with requests to inspect or secure copies of district records inclusive of student records as outlined in Section VII:

1. Requests to inspect or secure copies of records shall be submitted to the records access officer on a form prescribed by the superintendent, copies of which are available in the office of the records access officer.
2. The records access officer will determine and advise the requester whether the records specified in the request are available for inspection and copying.
3. With respect to records which are determined to be available, the records access officer will direct the requester to the place where the requested records may be inspected and will arrange for the preparation and certification of copies under tender of the required fee.
4. With respect to records, which are determined not to be available, the records access officer will note the reason for unavailability on the request form and return one copy of the form to the requester.
 - a. Place of Inspection – Records may be inspected only at the office or location where they are regularly maintained.
 - b. Requests by Mail – Requests by mail for copies of available records may be addressed to the records access officer, and will be honored, upon payment of the required fee, provided the requester and the records of which a copy is requested are sufficiently identified to make compliance practicable.
 - c. The District Shall Respond Promptly to a Request for Records – Except under extraordinary circumstances, the response shall be made no more than five (5) working days after receipt of the request by the district, whether the request is oral or in writing.

- d. If for any reason more than five (5) working days is required to produce records, the district shall acknowledge receipt of the request within five (5) working days after receipt is received. The acknowledgement will include a brief explanation of the reason for the delay and an estimate of the date production or denial will be forthcoming.

Section V Appeals

1. Appeals, inclusive of those in regard to student records as outlined in Section VII, shall be directed to the deputy superintendent on forms prescribed by him/her, copies of which are available at the offices of the records access officer.
2. All such appeals, inclusive of those in regard to student records as outlined in Section VII, shall be delivered to the records access officer within thirty (30) days after the denial from which such appeal is taken.
3. Appeals, inclusive of those in regard to student records as outlined in Section VII, will be determined by the superintendent or his/her authorized representative within seven (7) business days of the receipt of the appeal.

Section VI Fees

1. The fees for copies of available records shall be as follows:
 - a. Pages not larger than 8½ inches by 11 inches \$.25 per page
 - b. Pages not larger than 8½ inches by 14 inches \$.25 per page
 - c. Existing computer printouts: \$.05 per page
 - d. Initial printout from computer file: \$1.00 per minute of computer printer time
 - e. Any other record: the actual cost thereof to the district
 - f. Certifications: No additional charge
2. Fees shall be paid by check or money order payable to the “City School District of the City of Albany, New York.”

Section VII Family Rights and Privacy Act of 1974

1. Pursuant to the “Family Educational Rights and Privacy Act of 1974” it shall be the policy of this school district with respect to parents of a student under 18 years of age and with respect to students 18 years of age or older to permit such person to inspect and review any and all official records, files and data directly related to their children (themselves), including all material that is incorporated into each student’s cumulative record folder, an intended for school use or to be available to parties outside the school or school system, and specifically including, but not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), attendance data, scores on standardized intelligence, aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns.

2. Parents of a student under 18 years of age or a student 18 years of age or older shall have an opportunity for a hearing to challenge the content of their child's (their own) school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein.
3. In order to implement the rights provided for in points 1 and 2 hereof, the following procedures shall be followed:
 - a. A parent or student under 18 years of age or a student 18 years of age or older, who wishes to challenge the contents of their child's (their own) school records, shall submit a request, in writing identifying the record or records which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student together with a statement with the reasons for their challenge to the record to the records access officer.
 - b. Upon receipt of a written challenge, the records access officer, after duly conferring with appropriate school district staff, shall provide a written response indicating either that the challenged record was found to be inaccurate, misleading or otherwise in violation and it will be corrected or deleted or that no basis was found for correcting or deleting the record in question, but that the parent or student will be given an opportunity for a hearing. Such written response by the records access officer shall be provided the parent or student within twenty-five (25) school days after receipt of the written challenge. Said response shall also outline the procedures to be followed with respect to a hearing, if desired by the parent or student.
 - c. Within fifteen (15) days of receipt of the response from the records access officer, a parent or student may request, in writing, that a hearing be held to review such determination. The hearing shall be conducted by the superintendent of schools. At the hearing, a parent or student shall be given the right to submit evidence that the record is erroneous and to rebut any evidence submitted in support of the record. Upon completion of the hearing the superintendent of schools shall render a written decision based solely on the evidence presented, stating the disposition of the challenge or the record and the reason for the determination.
4. Student records, and any material contained therein which is personally identifiable, are confidential and may not be released or made available to persons other than parents or students without the written consent of parents of students under 18 years of age or of students 18 years of age or older. Such records and material may be made available without the written consent of parents or students in the following cases:
 - a. Being made available to other school officials, including teachers within the educational institution or local educational agency who have legitimate educational interests;
 - b. Being made available to officials of another school in which the student intends to enroll, if the parents or student are notified of the transfer of records, are given a copy if they desire one, and have an opportunity for a hearing to challenge the content of the record;

- c. Being made available to authorized representatives of certain designated federal and state agencies, including state educational authorities, for the purpose of the audit and evaluation of federally supported programs, or in connection with the enforcement of federal legal requirements;
 - d. Being made available in connection with a student's application for or receipt of financial aid;
 - e. Being made available pursuant to court order or subpoena, after notification to the parents and students.
5. Whenever a student record or any material contained therein is to be made available to third persons, other than those covered by the exceptions indicated in point 4 hereof, the parent of the student under 18 years of age or a student 18 years of age or older must file a written consent to such action and any third party to whom such records have been made available must sign a written statement that no further release of such records will be made without the consent of the parent or student.
 6. All persons requesting access to such records except for those provided for in subdivision A of point 4 hereof, state agencies provided for in subdivision C of point 4 hereof, and those persons provided for in subdivision E of point 4 hereof shall be required to sign a written form which indicates legitimate educational or other interest that such person has in inspecting the records. Such form shall be kept with the student's file.
 7. A duly published notice will be made available to inform parents of students under 18 years of age and students 18 years of age or older of their rights pursuant to the "Family Educational Rights and Privacy Act of 1974."