

Intradistrict Communication

DATE: April 8, 2021

TO: Principals
Assistant Principals
Administrative Assistants
Secondary Attendance Secretaries
Secondary Registrars

FROM: Michael Anderson, Associate Superintendent
Administrators of Schools
Travis Hamblin, Director of Student Services
Caleb Olson, Consultant, Planning & Enrollment

SUBJECT: Processing Record Requests and Subpoenas

There has been an increase in recent months in the number of parent/guardian requests for records and in subpoenas for student records. Please follow the guidelines below when responding to these types of record requests (subpoenas regarding employees should be directed to Human Resources).

Per District Policy AS61 – Student Records and Transcripts, the principal is the custodian of student records at the school level. This means that record requests and subpoenas for student records directed to the school should be filled at the school. Planning & Enrollment will assist schools when subpoenas involve records housed at multiple locations.

Record requests must be from a parent, legal guardian, or the student. Requests must be made in writing. When the identity of the requestor cannot be confirmed locally, the request must be notarized. Once received, the school has 45 days to respond to the request. If the requestor is a non-custodial parent, a courtesy call to the custodial parent should be made. Additional guidelines can be found at <http://planning.jordandistrict.org> by searching for “Request to Access/Amend Records”.

An official subpoena will be sent by an attorney or court official and does not necessarily require a judge’s seal. Subpoenas must be answered within 10 business days of receipt. The individual whose records have been subpoenaed must be notified by the school and given a window of time in which to pursue (if desired) court action to prevent the disclosure of records. This notification should be logged and kept with a copy of the subpoena and the records requested.

When complying with subpoenas or record requests, only records that currently exist may be accessed. Records and reports may need to be generated and printed in Skyward but schools should never create new sources of data in response to a request. Schools should only provide the records requested and should not volunteer or create additional information.

Records requests and subpoenas should be answered in the manner they were received or in the manner requested. When sending files via email, records must be transmitted via MoveIt. Records sent via the mail must be sent as certified mail with a delivery receipt.

Planning & Enrollment staff are also always available to consult with school staff on filling record requests or subpoenas and can consult on questions schools may face when working with these types of documents.