

STATE BOARD OF EDUCATION
STATE OF GEORGIA

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| WILLIAM B., | : | |
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| Appellant, | : | |
| | : | CASE NO. 1994-61 |
| vs. | : | |
| | : | DECISION |
| DODGE COUNTY | : | |
| BOARD OF EDUCATION, | : | |
| | : | |
| Appellee. | : | |

This is an appeal by William B. (Student) from a decision by the Dodge County Board of Education (Local Board) concerning the display of his records to other students. During a disciplinary matter, the Student's principal showed him his records on a computer terminal screen while two other students were in the principal's office. The next day, a teacher placed the Student's record on an overhead projector that was being viewed by several students. The teacher had removed all identifying information from the record, but the Student and others recognized it as his record. The teacher was unaware that the Student had been in the principal's office the previous day.

The Student complained to the Local Board that the principal and the teacher had violated his rights of privacy. The Local Board conducted a hearing concerning the matter. After the hearing, the Local Board directed the school administration and staff to refrain from sharing any student records regarding attendance, grades, and discipline to any other students. The Student then appealed to the State Board of Education.

On appeal, the Student claims that his rights under 20 U.S.C. § 1232g, the "Buckley Amendment," which provides for the privacy of student records, were violated.

20 U.S.C. § 1232g provides that federal funding will be denied if a school has a "policy or practice of permitting the release of educational records" without permission of the student or the student's parents. It is clear from the record that if there was any impermissible disclosure of the Student's records, the disclosure was inadvertent and the Local Board does not have a policy or practice that routinely permits the release of student information without permission. "The standard for review by the State Board of Education is that if there is any evidence to support the decision of the local board of education, then the local board's decision will stand unless there has been an abuse of discretion or the decision is so arbitrary and capricious as to be illegal. See, Ransum v. Chattooga County Bd. of Educ., 144 Ga. App. 783, 242 S.E.2d 374 (1978); Antone v. Greene County Bd. of Educ., Case No. 1976-11 (Ga. SBE, Sep. 8, 1976)." Roderick J. v. Hart Cnty. Bd. of Educ., Case No. 1991-14 (Ga. SBE, Aug. 8, 1991). We, therefore, conclude that the Local Board is not in violation of 20 U.S.C. § 1232g.

Based upon the foregoing, the Local Board's decision is
SUSTAINED.

This 10th day of November, 1994.

Mr. Sessoms was not present.

Robert M. Brinson
Vice Chairman for Appeals