

STUDENT RECORDS: 3231P

Student records shall be managed in the following manner:

Type of Records

Student records shall be divided into two categories: the cumulative folder and supplementary records.

The **cumulative folder** may contain all information about a student which is collected and maintained on a routine basis, such as identifying information [name, birth date, sex, year in school, address, telephone number, parent's name, ethnic classification, emergency information (parent's place of employment, family doctor, babysitter, siblings)]; attendance records; grades and other student progress reports; results of tests of school achievement, aptitude, interests, hearing and vision, health and immunization status reports; records of school accomplishments and participation in school activities; verified reports of misconduct, including a record of disciplinary action taken; and such other information as shall enable staff to counsel with students and plan appropriate activities. Identifying information may be limited if the student is a participant in the state Address Confidentiality Program.

Supplementary records about a student may be collected and maintained in connection with special school concerns about the student, such as reports connected with assessment and placement of a student who is formally identified as a "focus of concern"; reports from non-school persons and organizations such as physicians, psychologists and clinics, except for general screening purposes; reports pertaining to specific problems associated with the student; and current reports of psychological tests and progress reports related to a student's disabling condition. All such reports included in records shall be dated and signed.

For the purpose of this procedure, working notes of staff are defined as those records about students that are maintained in the sole possession of the writer and are not accessible or revealed to any other person except a substitute for that staff member. Working notes are **not** considered within the purview of this procedure.

Accessibility of Student Records

Information contained in the cumulative folder and/or supplementary records shall be provided to persons and agencies as follows:

Parents

Parents of dependent children have the right to inspect the cumulative folder and/or supplementary records of their children.

STUDENT RECORDS: 3231P

- A. The parent shall be provided analysis and interpretation by qualified staff of all information in the cumulative folder and supplementary records. This action may be initiated by the parent or a staff member. The review shall occur within five school business days after a request is received unless a written explanation for the failure to do so is supplied by the custodian of records. In no case shall the review occur later than forty-five (45) days after the request is made.
- B. Inspection and review shall be conducted during normal working hours, unless the custodian (teacher, counselor, nurse, psychologist, principal) consents to other arrangements.
- C. Custodians shall provide assistance in the interpretation and analysis of student records as needed. Although records must remain within District control, they may be copied or reproduced by or for the parent or eligible student at their own expense.

The Student

Information from the cumulative folder shall be interpreted to the student upon his/her request. Information contained in supplementary records shall be interpreted to the student upon his/her request and with the consent of the parent.

The adult student may inspect his/her cumulative folder and supplementary records. The right of access granted the parent or adult student includes the right to be provided a list of the types of student-related education records maintained by the school and the District.

The parent and adult student shall have the right to inspect or to be informed of the content of any record containing personally identifiable information regarding more than one student, provided the right to access shall apply only to that portion of the record or document which relates to the student. Upon graduation from high school, a student shall have the option of receiving a final transcript in addition to the diploma.

Parents and adult students shall be notified annually of their right to inspect and review the records of their children and their other rights under the Family Education Rights and Privacy Act through the following notice:

The Family Education Rights and Privacy Act (FERPA) affords parents and students over eighteen (18) years of age (“eligible students”) certain rights with respect to the student’s Education records. They are:

1. The right to inspect and review the student’s education records within forty-five (45) days of the day the District receives a request for access.

Parents or eligible students should submit to the District records custodian a written request that identifies the record(s) they wish to inspect. The records custodian will make

STUDENT RECORDS: 3231P

arrangements for access and notify the parent or eligible student of the time and place the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, or misleading, or otherwise in violation of the student's privacy rights.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identifying the part of the record they want changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student's privacy rights.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. Parents of eligible students have a right to inspect or review information including when the student is a dependent under IRS tax code, when the student has violated a law or the school rules regarding alcohol or substance abuse (and the student is under 21), and when the information is needed to protect the health or safety of the student or other individuals.
4. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (34 C.F.R., Part 99).

Exceptions which permit disclosure without consent are: disclosure deemed by the District as necessary to protect the health or safety of the student or other individuals and is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks; or a volunteer or other non-employee performing services and functions on behalf of the District.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

In addition, the District may disclose educational records without consent to officials of another school district in which a student seeks or intends to enroll without the consent of the student or parent.

STUDENT RECORDS: 3231P

5. The right to file a complaint with the U. S. Department of Education, under 34 C.F.R. Part 99.63 and 99.64 concerning alleged failures by the District to comply with the requirements of FERPA, or 34 C.F.R. Part 99. The name and address of the office that administers FERPA is:

Family Policy Compliance
U. S. Department of Education
400 Maryland Avenue S.W.
Washington, DC 20202

Staff

Staff who have a legitimate, educational interest in a student shall have access to the cumulative folder and any supplementary records.

Other Districts

Other districts shall be provided with records upon official request from the District, unless the student has an outstanding fee or fine. In those instances the enrolling school shall be provided with the student's academic, special placement, immunization history and discipline records within two (2) school days, but the official transcript shall be withheld until the fee or fine is discharged. The enrolling school district shall be notified that the transcript is being withheld due to an outstanding fee or fine. At the time of transfer of the records, the parent or adult student may receive a copy of the records at his/her expense if requested and shall have an opportunity to challenge the contents of the records. Parents shall be advised through the annual Student Rights and Responsibilities Handbook that student records shall be released to another school where the student has enrolled or intends to enroll.

Other Persons and Organizations

Information contained in the cumulative folder and supplementary records of a student shall be released to persons and organizations other than the student, parent, staff and other districts only with the written consent of the parent or adult student, with the following exceptions:

- A. The District occasionally receives requests from persons and organizations outside the district (e.g. PTA, booster clubs, colleges, branches of the military service, news organizations and law enforcement authorities, and following graduation, reunion committees) for the names and addresses of our students, and other related information. The District will never release such information to persons and organizations with a commercial purpose who do not have a contract with the District. Unless the District is notified otherwise in writing by a parent or adult student, the District may release directory information to the persons and organizations such as those described above.

STUDENT RECORDS: 3231P

Directory Information

Directory information may be released publicly without consent upon the condition that the parent or adult student be notified annually of the school's intention to release such information and be provided the opportunity to indicate that such information is not to be released without prior consent. Such information shall not be released for commercial reasons. Directory information is defined as the student's name, photograph, address, telephone number, date and place of birth, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received and the most recent previous school attended. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information. Social Security numbers, student identification numbers (with authentication factors such as a secret password or personal identification number) or other personally identifiable information are not considered directory information.

- B. Information may be released to authorized representatives of the comptroller general of the United States, the commissioner of education, and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements for such programs.
- C. Information may be released to state and local officials to whom such information is specifically allowed to be reported or disclosed pursuant to Washington state statute (examples: reporting child abuse or referrals to juvenile court for truancy).
- D. Information may be released to organizations conducting studies for educational agencies for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than the representatives of such organizations and if such information shall be destroyed when no longer needed for the purpose for which it has been gathered.
- E. Information may be released in compliance with a judicial order or lawfully issued subpoena, including ex parte court orders under the USA Patriot Act, upon condition that a reasonable effort was made to notify the parent or adult in advance of such compliance, unless such notice is not allowed by the order or subpoena.
- F. Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons.

When information from a student's record, other than directory information, is released to any person or organization other than staff, a record of such release shall be maintained as part of the specific record involved. Telephone requests for information about students shall not be honored unless the identity of the caller is known and the caller is authorized to

STUDENT RECORDS: 3231P

receive the information under provisions of these procedures. A record shall be made of any such release of information and placed in the student's cumulative folder. This record of access shall include date of access, name of the party granted access and the legitimate educational interest of the party granted access.

- G. A high school student may grant authority to the District permitting prospective employers to review the student's transcript. Each student shall be advised at least annually that such requests shall be honored only upon a signed release of the student.

Confidential Health Records

Confidential health records should be stored in a secure area accessible only to the school health care provider, unless an appropriately executed release under Chapter 70.02 has been obtained. Such records are also covered by the Family Education Rights and Privacy Act, unless state law provides stricter protection. There is a higher standard of confidentiality for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. Only students may authorize release of records concerning family planning or abortion, students thirteen (13) years or older control access to drug, alcohol or mental health treatment records and students fourteen (14) years or older may deny or authorize access to records regarding HIV or sexually transmitted diseases. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment are more restrictive than ordinary medical releases.

Challenges and Hearings

At the time of inspection and review the parent or adult student granted access to records may challenge the appropriateness and accuracy of any record directly related to the student and may demand correction or deletion. Custodians (teacher, counselor, nurse, psychologist) may honor such demands by correcting or deleting records that are misleading, violate privacy or are inaccurate, provided that the senior custodian (principal or department head) concurs.

If the demanded correction or deletion is denied by the senior custodian, the parent or adult student may request an informal hearing before the Superintendent or designee, which hearing shall be held within ten (10) school days of the receipt of such request.

During the hearing the Superintendent or designee shall review the facts as presented by the parent or adult student and the custodian and decide whether or not to order the demanded correction or deletion. The Superintendent or designee shall send his/her written decision to the parent or adult student within ten (10) school days of the hearing.

Upon denial of correction or deletion by the Superintendent or designee, the parent or adult student may request in writing a hearing before the Board, which hearing shall be conducted at its next regular meeting. During such hearing, which shall be closed to the public, the Board shall review the facts as presented by the parent or adult student and senior custodian and decide

STUDENT RECORDS: 3231P

whether or not to order the demanded correction or deletion. The Board shall send its written decision to the parent or adult student within ten (10) school business days of the hearing.

Parents or adult students challenging the appropriateness and accuracy of student records may insert a written explanation of their objections in such records.

Maintenance of Student Records

The student's principal, counselor or teacher shall be the custodian of the cumulative folder. The principal or the student's counselor shall be the custodian of the supplementary records. Duplicate copies of all guidance case study reports and reports from non-school agencies contained in a student's supplementary record may be maintained in the District office under the supervision of the Superintendent.

Custodians shall:

- A. Maintain only those records authorized by these procedures;
- B. Safeguard student records from unauthorized use and disposition;
- C. Maintain access records;
- D. Honor access requests for parent or adult student;
- E. Delete or correct records upon approval of the senior custodian or upon order of the Superintendent or designee or the Board; and
- F. Follow the records review schedule and procedures established by the senior custodian.

Senior custodians may assume the duties of custodians and shall:

- A. Request student records from other schools;
- B. Maintain security of student records;
- C. Transfer, destroy and expunge records as permitted;
- D. Supervise activities of their custodians;
- E. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents or adult students;
- F. Establish records review schedules and procedures for their respective schools or departments in accordance with procedures governing records disposition (psychological test scores shall be reviewed annually to determine their relevance to the continuing educational needs of the student); and
- G. Upon transfer of the student to the next level (elementary to middle school, middle school to high school) or upon graduation or transfer outside the district, remove for retention, preservation or destruction in accordance with applicable disposition procedures any records no longer pertinent to education program placement.

STUDENT RECORDS: 3231P

The District records custodian shall provide overall supervision of student records management and control and shall enforce the student records policy and the administrative procedures.

Disposition of Student Records

The permanent student record shall serve as the record of the student's school history and academic achievement.

Permanent records filed in the student's cumulative folder are to be extracted and retained before disposition of the folder.

When a student transfers to another school in the district, all records including the permanent student record shall be transmitted to the other school.

Within ten (10) days after receiving a request, the District will furnish a set of unofficial educational records to the parent of a student transferring out of state who meets the definition of a child of a military family in transition. When a student transfers to a school outside of the district, the senior custodian shall purge the cumulative of all nonofficial, extraneous information. A copy of all records will be sent to the requesting school, unless the student has an outstanding fee or fine. In those instances the enrolling school shall be provided with information regarding the student's academic, special placement, immunization history and discipline records within two (2) school days, and the records shall be sent as soon as possible. The official transcript shall be withheld until the fee or fine is discharged. The enrolling school district shall be notified that the transcript is being withheld due to an outstanding fee or fine. The cumulative folder for an elementary or middle school student who leaves the District shall be maintained for three (3) years after discontinuance of enrollment in the district.

Cumulative folders of high school students shall be retained for five (5) years after graduation from high school or for five (5) years after discontinuance of high school enrollment. In all cases, the student's permanent record shall be retained in perpetuity by the District. Contents of a student's supplementary records shall be maintained for five (5) years. At the time a student graduates from school or ceases to need special educational services, the parent or adult student shall be informed that record information regarding the disabling condition is no longer needed.

When informing the parent or adult student about his/her rights regarding such records, the District shall advise the parent or adult student that the information may be needed by the student or the parent to establish eligibility for certain adult benefits, e.g., social security. At the parent's or adult student's request, the record information relating to the disabling condition shall be destroyed.

A parent or adult student, at his/her expense, may receive a copy of all records to be transmitted to another district.