Student Records

Student records shall be managed by the district records custodian 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 including date of entry and withdrawal; 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 confidential health information or 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 which 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 student records 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.

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 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. 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 that 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 may request to receive 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: District Newsletter, Building Handbooks, Parent/Guardian notice.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 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 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 arrangements for access and notify the parent or eligible student of the time and place where 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 is inaccurate or misleading. 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 identify the part of the record they want changed, and specify why it is inaccurate or misleading. 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 with- out consent. 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 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, hearing officer, 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 per- forming his or her tasks. 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.

Upon request, the District discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and ad- dress of the Office that administers FERPA is:

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

Staff
Staff or other school officials 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 school days, but the official transcript shall be withheld until the fee or fine is dis- charged. 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
Prospective employers may request to review the transcript of a student. Each parent or adult student shall be advised at least annually that such requests shall be honored only upon a signed release of the parent or adult student. 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. 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 required to be reported or disclosed pursuant to Washington state statute (examples: re- porting 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 student 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. The district will take into account the totality of the circumstance and determine if there is an articulable and significant threat to the health or safety of the student or other individuals. 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 receive the information un- der 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 adult student and/or parent/legal guardian may grant authority to the district permitting prospective employers to review the student's transcript.

Confidential Health Records

Confidential health records should be stored in a secure area accessible only to the school healthcare provider, unless an appropriately executed release under Ch. 70.02 has been obtained. Such records are also covered by the Family Education Rights and Privacy Act, permitting parent access to review and otherwise exercise FERPA rights regarding the records. There is a higher

standard of confidentiality and minor student's rights of privacy for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. 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, and psychologist) may honor such demands by correcting or deleting records which are misleading, volatile of privacy or 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, which hearing shall be held within 10 school days of the receipt of such request. During the hearing the superintendent 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 shall send his/her written decision to the parent or adult student within 10 school days of the hearing.

Upon denial of correction or deletion by the superintendent, 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 whether or not to order the demanded correction or deletion. The board shall send its written decision to the parent or adult student within 10 school 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 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.);
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 educational program placement; and
H. Certify to the district records custodian by June 30 of each year the following:

1. Only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and
2. Required reviews have been accomplished.

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.

The district will use an array of methods to protect records, including passwords, physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records) and 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.

Within ten 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 another school in the district, all records including the permanent student record shall be transmitted to the other school. When a student transfers to a school outside of the district, the senior custodian shall purge the cumulative folder 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 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 two years after discontinuance of enrollment in the district.

Cumulative folders of high school students shall be retained for two years after graduation from high school or for two years after discontinuance of high school enrollment. In all cases, the student's permanent record card shall be retained in perpetuity by the district. Contents of a student's supplementary records shall be maintained for two 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.

Large Scale Destruction of Student Records
After exercising care in accordance with that contained in the previous section (Disposition of Student Records), the senior custodian shall bundle all records and send them to the district office. Each bundle shall be plainly marked: "Student Records--for Destruction," dated and signed by the senior custodian. A summary sheet shall be completed and retained in the office. The sheet shall indicate: "As of this date, I have determined that the following records may be destroyed in accordance with district and state requirements and have submitted them for destruction." The summary sheet shall be dated and signed by the senior custodian.

Electronic Records
Electronic records (including e-mail and web content) created and received by the district in the transaction of public business are public records for the purposes of RCW 40.14 and will be managed consistent with all of the laws and regulations governing the retention disclosure, destruction and archiving of public records. The district will manage electronic records according to the same provisions as paper documents as set forth in the records retention schedules. Electronic records will be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. The district will retain electronic records designated as archival in the original format along with the hardware and software required to read the data, unless the data has been successfully migrated to a new system. (The district will retain records in compliance with the General Records Retention Schedule For School Districts And Educational Service Districts in Washington State found at:www.sos.wa.gov/archives/recordsretentionschedules.aspx.)

Cut-Off
Whenever applicable, the retention period starts with the "cut-off." "Cut-off" is a term used to indicate files or records may be terminated on a predetermined date. "Cut-off" prevents current records from attaining unmanageable size and facilitates the filing of new records. Calendar year records may be "cut-off" on December 31, and a new file established on January 1; all fiscal year records can be "cut-off" only upon the completion of an action or event, such as termination of contract, final payment of a contract, termination of employment, etc. Regardless of the duration of the retention period, records series should be kept in the office files after "cut-off" only as long as is necessary to satisfy: (1) active reference; (2) audit, when required; and (3) other operational requirements. Once these three factors have been satisfied, the records should be transferred to a records center or to an appropriate alternative format, including electronically for the remainder of the retention period.