

Students

Student Records – Confidentiality and Access to Student Records

The school district will appoint The Director of Pupil Personnel Services as the Custodian of Records who will ensure that student education records are kept as follows:

A. Category “A” Records

1. Category A includes official administrative records that constitute the minimum personal data necessary for the operation of the educational system.
2. Category A records shall be maintained for at least **fifty (50) years** after the student leaves the school district or graduates.
3. Notice of a student’s suspension or expulsion shall be expunged from the student’s cumulative education record if the student graduates from high school, except for notice of an expulsion based upon possession of a firearm or deadly weapon.
4. *In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board’s disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student’s cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. Should the notice be expunged in accordance with this provision, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student’s cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student’s first suspension or expulsion.
5. Category A records shall include, at a minimum, the following:

RECORD	LOCATION
a. Basic biographical information (Name, address, DOB, place of birth, parent name, parent address)	Permanent Cumulative File/ Permanent Health File
b. Academic achievement (7 th and 8 th grade report cards, high school transcript)	Permanent Cumulative File
c. Date of high school graduation or equivalent	Permanent Cumulative File
d. Records of immunizations (or exemption form as permitted by state statute)	Permanent Health File
e. Attendance records (days absent/present/tardy)	Permanent Cumulative File
f. *Notice of Expulsion for Firearm or Deadly Weapon (C.G.S. 10-233c(e), 10- 233d(f))	Permanent Cumulative File

Students

Student Records – Confidentiality and Access to Student Records

B. Category “B” Records

1. This includes verified information for the formulation of education programs for all students, but not absolutely necessary over an indefinite period of time.
2. Data in Category B must be accurate, clearly understood, and verified before becoming part of any continuing record. There should be no anonymous entries in a student’s school record.
3. Category B records may be maintained for at least **six (6) years** after the student leaves the school district or graduates from high school.
4. Notice of a student’s suspension or expulsion shall be expunged from the student’s cumulative educational record if the student graduates from high school, except for notice of an expulsion based upon possession of a firearm or deadly weapon.
5. *In cases where a student is suspended or expelled for the first time, and the Administration or the Board, respectively, has shortened or waived the period of suspension or expulsion in accordance with the Board’s disciplinary policy relating to first time offenses, the Administration or the Board, respectively, may choose to expunge such notice of suspension or expulsion from the student’s cumulative record at the time the student completes the specified program and any other conditions imposed by the Administration/Board, rather than upon graduation. Should the notice be expunged in accordance with this provision, a record of the fact that the student had been suspended or expelled shall be maintained apart from the student’s cumulative record, for the limited purpose of determining whether any subsequent offenses by the student would constitute the student’s first suspension or expulsion.
6. Records containing information pertaining to child abuse/neglect referrals or reports; or containing confidential HIV-related information should be kept separate from the student’s cumulative folder, in confidential files.
7. Confidential HIV-related information contained in the confidential file should only be disclosed pursuant to district policy.
8. Information contained in documents related to any Department of Children and Families (“DCF”) child abuse and/or neglect investigation, or any such investigation conducted by local law enforcement officials, shall be kept confidential. Such records shall only be disclosed in accordance with the Board’s policy regarding Confidentiality and Access to Education Records.
9. Records received from the sending school districts of Bethany, Orange, and Woodbridge will be destroyed six years after the students has left the elementary

Students

Student Records – Confidentiality and Access to Student Records

district (and of 12th grade) unless the student continues to be enrolled in the Amity Regional School District for longer than 6 years. Records received from the elementary schools of students who do not enroll in the Amity Regional School District will be returned to the elementary district.

10. Category B records shall include the following (if applicable):

Students

Student Records – Confidentiality and Access to Student Records

RECORD	DIGITAL/ PRINT	LOCATION
a. SST/SRBI/MTSS Records	D	CT-SEDS
b. Standardized group test scores (SBAC, CTAA, NGSS)	P/D	Cumulative File/ Performance Matters
c. Standardized group test scores (SAT, PSAT, PACT)	D	Performance Matters
d. Educational/vocational interest survey	D	Naviance
e. Hearing Evaluation	P	Health File/Pupil Personnel File
f. Comprehensive Health Records	P	Health File
g. Correspondence relating to student (Loss of Credit, Truancy, Chronic Absenteeism, Awards)	P/D	Cumulative File/Health File/Pupil Personnel File/ PowerSchool
h. *Suspension Letters	P	Discipline File
i. *Expulsion Letters	P	Cumulative File
j. Child Abuse/Neglect/DCF Forms	P	Health File
k. Reports containing confidential HIV-related information	P	Health File
l. Letters of Recommendation	P/D	Naviance
m. Extracurricular activities (Athletics)	D	Google
n. Parent/Student signed release of information form	P	Cumulative File/Health File/Pupil Personnel File
o. Diploma (if not picked up by student)	P	Cumulative File
p. Accident Reports	P	Health File
q. Basic school health entrance histories	P	Health File
r. Cumulative Health Record (CHR-1)	P	Health File
s. Individualized Health Care Plans/Emergency Care Plans	P	Health File/Pupil Personnel File
t. Health Assessment Records	P	Health File
u. Medication Administration Records (6 years or until suspended by yearly summary on file)	P	Health File
v. Parent authorization for medication/treatment	P	Health File
w. Physician orders for medication/treatment	P	Health File
x. Referral form for services based on results of mandated screenings	P	Health File
y. Athletic histories and physical examination reports	P	Health File
z. Nursing records (health assessments, process notes, 3 rd party health records)	D	SNAP

Students

Student Records – Confidentiality and Access to Student Records

C. Category “C” Records - Special Education

1. Category C includes verified information necessary for the formulation of prescriptive educational plans designed to meet the unique needs of selected students.
2. Category C information should be kept separate from the student’s cumulative folder, in the Pupil Personnel File.
3. Category C records must be maintained for at least **six (6) years** after the student leaves the school district or graduates from high school.
4. Prior to the destruction of Category C information, notification to parents and/or eligible students via media will be made and opportunity provided to copy said records.
5. Category C shall include (where applicable):

RECORD	DIGITAL/ PRINT	LOCATION
a. PPT Referral Form	P	Pupil Personnel File
b. Section 504 Records	P/D	Pupil Personnel File/CT-SEDS
c. Special Education Assessment/evaluation reports	P/D	Pupil Personnel File/ CT-SEDS
d. Due Process Records (including complaints, mediations, and hearings)	P	Pupil Personnel File
e. Individual Transition Plan	D	
f. Individualized Education Program (IEP) Records	P/D	Pupil Personnel File/ CT-SEDS
g. Planning Placement Team (PPT) Records (including notices, meetings, consent forms)	P/D	Pupil Personnel File/ CT-SEDS
h. Individualized Family Service Plan (IFSP)	P/D	Pupil Personnel File/ CT-SEDS

Students**Student Records – Confidentiality and Access to Student Records****D. Category “D” Records**

1. Category D records must be maintained for minimum retention period specified below.

RECORD	MINIMUM RETENTION REQUIRED	DIGITAL/ PRINT	LOCATION
a. Sports Contract/Student Contract (including signature sheet for student handbook)	End of school year in which signed	D	PowerSchool
b. Permission slips/waivers	3 years	D	PowerSchool
c. Free/reduced meal application and documentation	3 years	D/P	PowerSchool/District Business Office
d. Annual Notifications to Parents (Student Behavior and Discipline, Bus Conduct, Electronic Communications Systems, and the National School Lunch Program)	1 year	D	PowerSchool
e. Pesticide application notification registration form	5 years	D	PowerSchool
f. School registration records including residency documentation	3 years or until audited, whichever comes later	D	PowerSchool
g. Student portfolio work (student produced work for grading assessment)	End of year in which student receives a grade	D	Schoology
h. Absent and tardy notes from parents/guardians	End of school year	P	Attendance Clerk files
i. Physician standing orders	Permanent; keep most up to date separately	P	Permanent Health File (prior orders)/Health File (current orders)
j. Student’s emergency information	Until superseded or student leaves school district	D	PowerSchool

Students**Student Records – Confidentiality and Access to Student Records**

k. Test Protocols	Shred upon completion of the report	D/P	NA
l. Surveillance videos	2 weeks	D	NA
m. Log of access to education records	Maintained for the same period as the record	P	Permanent Cumulative File/Permanent Health File/Cumulative File/Health File/Pupil Personnel File/PowerSchool

E. Directory Information

The following student information is declared to be directory information:

1. Name
2. Address
3. Telephone number
4. Date and place of birth
5. Major field of study
6. Participation in officially recognized activities and sports
7. Weight and height of members of athletic teams
8. Dates of attendance
9. E-mail address
10. Parent's name/e-mail address
11. Degrees and awards received, including honor roll publication
12. Most recent previous public or private school attended by the student

FERPA regulations prohibits the use of a Social Security Number (SSN) as an identification element when disclosing or confirming directory information unless the student has provided written consent for the disclosure.

The District limits its disclosure of directory information to the following, without prior written consent of parent/guardian or eligible student unless the District has been advised to the contrary:

1. Military recruiters or institutions of higher learning. Such disclosure is limited to the student's name, address and telephone listing.
2. Companies that manufacture class rings.
3. Companies that publish yearbooks.

Students

Student Records – Confidentiality and Access to Student Records

4. Playbills showing a student's role in a drama or vocal production.
5. Honor roll or other recognition lists.
6. Graduation programs.
7. Sports activity sheets.

F. Issue/Practice of Peer Grading

The definition of "education records" excludes grades on peer-graded papers before they are collected and recorded by a teacher. Peer-grading does not violate FERPA.

G. Duration of Student Records

1. Records shall be destroyed in accordance with district policy and the Records Retention Schedule of the Public Records Administrator.
2. Records may be maintained for longer periods of time whenever valid cause for the retention of records is shown to the custodian of records.
3. Notwithstanding the applicable retention schedule, the school district, the school district shall not destroy any education record if a parent or eligible student has an outstanding request to inspect and review the education record.

H. Responsibility for Maintenance of Student Records

1. The Director of Pupil Personnel Services is the Custodian of Records.
2. In addition, the following personnel are designated as the guardians of records for each of the schools:
 - a. Categories A, B and D: Principal at each school.
 - b. Category C: Pupil Services Coordinator at each school.
 - c. With respect to confidential HIV-related information, whoever was the recipient of the HIV-related disclosure shall be the guardian of the records. With respect to child abuse and neglect investigation material, the CASE Manager at each school shall be the guardian of the records.
3. The chief custodian of records will annually list for public inspection the names and positions of the custodians of records in each of the schools.
4. Each of the custodians of records shall supply parents, on request, a list of the types and locations of education records collected, maintained, or used within the Amity Regional School District.
5. The custodians of records are responsible for ensuring compliance with the confidentiality and access provisions of this Board policy and these administrative regulations.

Students

Student Records – Confidentiality and Access to Student Records

AMITY REGIONAL SCHOOL DISTRICT NO. 5

Woodbridge, Connecticut

Notification of Rights Under FERPA for Elementary and Secondary Institutions

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, et. seq., affords parents and eligible students (i.e., students over 18, emancipated minors, and those attending post-secondary educational institutions) 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) calendar days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal [or appropriate school official] will make arrangements for access and notify the parents 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 parents or eligible student believe are inaccurate or misleading, or otherwise violates the student's privacy rights, under FERPA.

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

If the District decides not to amend the record as requested by the parents or eligible student, the District will notify the parents 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 parents or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to a school official with legitimate 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 Board of Education; 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. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill

Students

Student Records – Confidentiality and Access to Student Records

his or her professional responsibility.

Upon request, the District will disclose a student's education record without consent to officials of another public school, including other public schools, charter schools, and post-secondary institutions in which the student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment, or transfer. (The District is required by FERPA to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.)

4. 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 address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose "Directory Information" concerning a student without the consent of a parent or eligible student. Directory Information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such information can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. It includes, but is not limited to, the parent's name and/or e-mail address, the student's name, address, telephone number, e-mail address, photographic, computer, and/or video images, date and place of birth, major field(s) or study, grade level, enrollment status (full-time; part-time), participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees, honors and awards received, and the most recent school(s) attended.

Directory information does not include a student's social security number, student identification number or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems unless the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN or password.

The school district may disclose directory information about students after they are no longer in enrollment in the school district. Notwithstanding the foregoing, the district will continue to honor any valid objection to the disclosure of directory information made while a student was in attendance unless the student rescinds the objection.

An objection to the disclosure of directory information shall not prevent the school

Students

Student Records – Confidentiality and Access to Student Records

district from disclosing or requiring a student to disclose the student's name, identified or institutional email address in a class in which the student is enrolled.

The written objection to the disclosure of directory information shall be good for only one school year. School districts are legally obligated to provide military recruiters and institutions of higher learning, upon request, with the names, addresses and telephone numbers of secondary school students, unless the secondary student or the parent of the student objects to such disclosure in writing. Such objection shall be in writing and shall be effective for one school year. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the District's obligations under both state and federal law.

Students

Student Records – Confidentiality and Access to Student Records

RELEASE OF CONFIDENTIAL HIV-RELATED INFORMATION

I hereby authorize _____ to release
[name of individual who holds the information]

confidential HIV-related information, as defined in Connecticut General Statute §19a-581,
concerning _____ to the following personnel:
[name of protected individual]

- 1. School Nurse
- 2. School Administrator(s)
 - a. _____
 - b. _____
- 3. Student's Teacher(s)
 - a. _____
 - b. _____
- 4. Paraprofessional(s)
- 5. Director of Pupil Personnel Services
- 6. Other(s)
 - a. _____
 - b. _____

This authorization shall be valid for (check one):

- The student's enrollment at _____ School
- The current school year
- Other _____ (specify period)

I provide this information based on my responsibility to consent for the health care of
_____. I understand that such information shall be held confidential by the persons authorized here to receive such information, except as otherwise provided by law.

Name

Relationship to Student

Date

Students

Student Records – Confidentiality and Access to Student Records

**Amity Regional School District No. 5
HIPAA-Compliant Authorization for Exchange of Health & Education Information**

Patient/Student Name: _____ **Date of Birth:** _____

I hereby authorize _____ [insert health care/community provider name & title]
 and _____ [insert name & title of school official] to exchange
 health and education information/records for the purpose listed below.

_____ [insert address & telephone of school/school district]
 _____ [insert address and telephone of health care provider]

Description:
The health information to be disclosed consists of:

The education information to be disclosed consists of:

Purpose: This information will be used for the following purpose(s):

1. Educational evaluation and program planning
2. Health assessment and planning for health care services and treatment in school.
3. Medical evaluation and treatment
4. Other: _____

Authorization

This authorization is valid for one calendar year. It will expire on _____ <insert date>. I understand that I may revoke this authorization at any time by submitting written notice of the withdrawal of my consent. I recognize that health records, once received by the school district, may not be protected by the HIPAA Privacy Rule, but will become education records protected by the Family Educational Rights and Privacy Act. I also understand that if I refuse to sign, such refusal will not interfere with my child’s ability to obtain health care.

Parent Signature Date

Student Signature* Date

*If a minor student is authorized to consent to health care without parental consent under federal or state law, only the student shall sign this authorization form. In Connecticut, a competent minor, depending on age, can consent to outpatient mental health care, alcohol and drug abuse treatment, testing for HIV/AIDS, and reproductive health care services.

Copies: Parent or student*
 Physician or other health care provider releasing the protected health information
 School official requesting/receiving the protected health information Rev. 4/15/03

Developed collaboratively with: CT State Department of Education & CT Chapter American Academy of Pediatrics