Regulations and Procedures No. 3231P
Students

STUDENT RECORDS

The district records custodian will manage student records in the following manner:

Type of Records
Student records are divided into two categories: the cumulative folder and supplementary records.

1. **Cumulative folder**
   The cumulative folder may contain all information about a student that 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, including 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 will 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.

2. **Supplementary records**
   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 will 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 student records within the purview of this procedure.

Adopted 01/1994
Revised 5/2015, 12/2016, 10/2020, 8/2021, 07/2023

Accessibility of Student Records

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

1. **Parents**

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

   1. Upon the request of the parent or a staff member, a qualified staff member will provide the parent with analysis and interpretation of all information in the cumulative folder and supplementary records. The review will occur within five school business days after the district receives a request unless a written explanation for the failure to do so is supplied by the custodian of records. In no case will the review occur later than 45 days after the parent makes the request.
   2. Inspection and review will be conducted during normal working hours, unless the custodian (teacher, counselor, nurse, psychologist, principal) consents to other arrangements. Custodians will 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 fees charged for reproduction or copying of these records follow the fee schedule for public records found at www.sumnersd.org/page/5017.

2. **The Student**

   Upon the request of the student, a qualified staff member will interpret information from the cumulative folder to the student. The qualified staff member will interpret information contained in supplementary records 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 will 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 will apply only to that portion of the record or document that 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 will 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 annual mailing of the Student Family Information Guide.

Adopted 01/1994
Revised 5/2015, 12/2016, 10/2020, 8/2021, 07/2023

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 a written request to the district records custodian that identifies the record(s) they wish to inspect. The records custodian will arrange for access and notify the parent or eligible student of the time and place where they may inspect the records.
2. The right to request amendments to the student's education records that the parent or eligible student believes to be 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. 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. Exceptions permitting 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 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 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.

Adopted 01/1994
Revised 5/2015, 12/2016, 10/2020, 8/2021, 07/2023

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, D.C. 20202

1. **Staff**
   Staff or other school officials who have a legitimate, educational interest in a student will have access to the cumulative folder and any supplementary records.
2. **Other Districts**
   Other districts will be provided with records upon official request from the district. At the time of transfer of the records, the parent or adult student may receive a copy of the records at their expense if requested and will have an opportunity to challenge the contents of the records. Parents will be advised through the annual Student Rights and Responsibilities Handbook that student records will be released to another school where the student has enrolled or intends to enroll.
3. **Other Persons and Organizations**
   Prospective employers may request to review the transcript of a student. The district will advise each parent or adult student at least annually that such requests will be honored only upon a signed release of the parent or adult student. The district will release information contained in the student's cumulative folder and supplementary records 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:
   1. The district may release directory information 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. The district will not release directory information for commercial reasons. The public disclosure of student information in response to requests issued under the Washington State Public Records Act (Chapter 42.56 RCW) is not a specified or approved purpose of directory information shared in this District. The district has designated the following as directory information: 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 is not considered directory information.

2. 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.
3. 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: reporting child abuse or referrals to juvenile court for truancy).
4. 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 will be destroyed when no longer needed for the purpose for which it has been gathered.
5. 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. In compliance with the federal Uninterrupted Scholar's Act of 2013, when a parent is a party to a court proceeding involving child abuse or neglect (as defined in Section 3 of the Child Abuse and Prevention and Treatment Act (42 U.S.C. 5101) or dependency matters, and the order is issued in the context of that proceeding, the district is not required to provide additional notice (i.e., in addition to the court's notice) to the parent prior to release of the information.
6. 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 will be maintained as part of the specific record involved. Telephone requests for information about students will not be honored unless the identity of the caller is known and the caller is authorized to receive the information under

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

7. In compliance with the federal Uninterrupted Scholar's Act of 2013, information regarding students in foster care may be released without prior written consent of the parent or eligible student to agency caseworkers or other representatives of state or local child welfare agencies or tribal organizations who are legally responsible for the care and protection of the care and protection of the student, for purposes related to the student's case plan.
8. 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 health care 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.

Amendment of Records and Hearing

At the time of inspection and review, the parent or adult student granted access to records may request that information in the student's records be amended. Custodians (teacher, counselor, nurse, psychologist) may honor such requests by correcting or deleting records which are misleading, or inaccurate, provided that the senior custodian (principal or department head) concurs.

If the senior custodian denies the requested correction or deletion, the parent or adult student may request an informal hearing before the superintendent or designee, which hearing will be held within 10 school days of the receipt of such request. During the hearing, the superintendent or designee will 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 will send their 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 make a written request within ten (10) school days of the denial for a board hearing, which is

closed to the public to be conducted in conjunction with the board's next regularly scheduled meeting that is at least ten (10) calendar days from the date of request. During such hearing, the board will review the facts as presented by the parent or adult student, senior custodian and district and decide whether or not to order the requested correction or deletion. The board will send its written decision to the parent or adult student within 10 school days of the hearing.

If the district still decides not to amend the records as a result of the hearing, the parent or adult student requesting amendment of the records may insert a written explanation of their objection in such records.

Maintenance of Student Records

The student's principal, counselor, or teacher will be the custodian of the cumulative folder. The principal or the student's counselor will 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 will:

1. Maintain only those records authorized by these procedures;
2. Safeguard student records from unauthorized use and disposition;
3. Maintain access records;
4. Honor access requests for parent or adult student;
5. Delete or correct records upon approval of the senior custodian or upon order of the superintendent or designee or the board; and
6. Follow the records review schedule and procedures established by the senior custodian.

Senior custodians may assume the duties of custodians and will:

1. Request student records from other schools;
2. Maintain security of student records;
3. Transfer, destroy, and expunge records as permitted;
4. Supervise activities of other custodians;
5. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents or adult students;
6. Establish records review schedules and procedures for their respective schools or departments in accordance with procedures governing records disposition. (Psychological test scores will be reviewed annually to determine their relevance to the continuing educational needs of the student.);

Adopted 01/1994
Revised 5/2015, 12/2016, 10/2020, 8/2021, 07/2023

7. 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
8. 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 will provide overall supervision of student records management and control and will 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 will 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 will be transmitted to the other school. When a student transfers to a school outside of the district, the senior custodian will purge the cumulative folder of all nonofficial, extraneous information. A copy of all records will be sent to the requesting school. The cumulative folder for an elementary or middle school student who leaves the district will be maintained for two years after discontinuance of enrollment in the district.

Cumulative folders and supplementary records of high school students will be retained according to the Washington State Records Retention Schedule. In all cases, the student's permanent record card will be retained in perpetuity by the district.

At the time a student graduates from school or ceases to need special educational services, the parent/guardian or adult student will be informed that personally identifiable information regarding the disabling condition is no longer needed for educational purposes AND that the special education records will be retained by the district for six (6) years before being destroyed

pursuant to the School Districts and Educational Districts Records Retention Schedule approved in accordance with RCW 40.14.070.

When informing the parent or adult student about their rights regarding such records, the district will 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 AND that the parent/guardian/adult student should ensure that they possess the necessary documentation, or request copies of certain records from the district BEFORE the district records are destroyed in six (6) years. At the parent's/guardian's or adult student's request, the record information relating to the disabling condition will be destroyed but ONLY after the records have met their six (6) year retention requirement pursuant to the School Districts and Educational Districts Records Retention Schedule. The district may, in its discretion, choose to retain these records for a longer period of time for business purposes.

A parent or adult student, at their 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 will bundle all records and send them to the district office. Each bundle will be plainly marked: "Student Records--for Destruction," dated and signed by the senior custodian. A summary sheet will be completed and retained in the office. The sheet will 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 will be dated and signed by the senior custodian.

Electronic Records

Electronic records (including email 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.)

Adopted 01/1994
Revised 5/2015, 12/2016, 10/2020, 8/2021, 07/2023

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.

Adopted 01/1994
Revised 5/2015, 12/2016, 10/2020, 8/2021, 07/2023