

G. Schedule for the retention and destruction of student records.

IV. Participating School Responsibility

EASTERN is considered an extension of the sending school; therefore, the school of record shall be the graduating high school. EASTERN will forward all attendance and grade records to said high school to be included in all official student records.

V. Competency List

The Director shall establish and maintain records of student accomplishment of occupational duties/tasks and other curricular outcomes which are established and adopted for each occupational program. These records shall be maintained for a period of five (5) years after the year of graduation of each student. The outcomes list shall be forwarded to the participating high school at the conclusion of the school year.

Family Educational Rights and Privacy Act
22 Pa Code § 12.31, 12.32

Adopted: 11/10/82

Revised: 11/13/91

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Student Records

1. Definitions

The following words and terms, as used in the Family Educational Rights and Privacy Act of 1974 as amended ("FERPA"), have the following meanings, unless the context indicates otherwise:

- A. Directory Information - includes, but is not limited to, the following information relating to a student: the student/family members' name, address, telephone number, electronic mail address, photograph, date and place of birth, years of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, the most recent previous educational agency or institution attended by the student, and other similar information.

Directory information does not include a student's Social Security Number, and only includes a student identification (ID) number or personal identifier, if the ID number or identifier cannot be used to gain access to educational records without another factor (such as a PIN or password) possessed only by the authorized user.

- B. Education Records_– Those records that are directly related to a student and maintained by EASTERN or a party acting for EASTERN. They do not include:
1. Records kept in the sole possession of the maker, which are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
 2. Records created or received by EASTERN after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student;
 3. Grades on peer-graded papers before they are collected and recorded by a teacher; and
 4. Other records specifically excluded from the definition of education records under FERPA and its implementing regulations.

- C. Personally Identifiable Information- Data or information including the

following:

1. The name of a student or the name of any of the student's family members;
2. The address of the student or of the student's family;
3. A personally identifying piece of information such as the student's telephone number, student ID, biometric record, or social security number;
4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
6. Information requested by a person who the agency or institution reasonably believes to know the identity of the student to whom the education record relates.

2. Protection of Confidentiality

EASTERN shall protect the confidentiality of personally identifiable information at the collection, storage, disclosure and destruction stages of that information.

3. Parent Access Rights

EASTERN, upon request of a parent, shall permit the parent to inspect and review education records relating to a child of that parent. A school shall comply with the request within a reasonable period of time but not exceeding 45 days after the request is received.

If circumstances effectively prevent the parent from exercising the right to inspect and review the student's education records, EASTERN shall:

- A. Provide the parent with a copy of the records requested; or
- B. Make other arrangements for the parent to inspect and review the requested records.
- C. The right to inspect, review or copy education records includes:
- D. The right of a parent to request of and receive from EASTERN a reasonable explanation and interpretation of information contained in the education records of the child.
- E. The right of a parent to designate a representative who will inspect, review or copy the records.

4. Student access rights

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to and the consent required of the parent of the student shall thereafter be accorded to and required of only the student.

5. Access of records

The school shall keep a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, as well as the names of State and local educational authorities, or U.S. officials listed in FERPA that may make further disclosures of personally identifiable information from the student's education records without consent under FERPA. The access record shall include the name of the party, the date access was given and the legitimate interests for which the party was allowed to use the records.

In the event that EASTERN discloses personally identifiable information from an education record with the understanding that the party receiving the information may make further disclosures as authorized under FERPA, the access record shall include the names of the additional parties to whom the receiving party may disclose the information on behalf of EASTERN, and the legitimate interests which each of the additional parties has in requesting or obtaining the information.

A parent shall have the right to inspect and review the access record kept for the education records of his or her child.

A record of the professional EASTERN employees who have gained access to the education records of a student is not required.

6. Maintenance of records

The Supervisor of Career-Technical Education shall be responsible for insuring that the education records' confidentiality policies and procedures are enforced and administered.

EASTERN shall:

- A. annually notify parents of the policies and procedures regarding student education records and the rights of parents under both State and Federal law concerning the confidentiality of education records;
- B. develop a system of safeguards which will protect the confidentiality of personally identifiable information at the point of collection, storage, release and destruction;
- C. provide training and instruction in the implementation of Federal, State and local records policy requirement for agency personnel who collect or use personally identifiable information; and

- D. maintain for public inspection a current listing of the names and positions of agents and employees of the agency who are authorized by the agency to have access to personally identifiable information.

7. Destruction of records

Destruction means the physical destruction or permanent removal of personally identifying data from the education records of a student so that the information in those records is no longer personally identifiable.

Information no longer relevant to and necessary for the provision of educational services to the student shall be destroyed. A written record of a student's name, address, telephone number, grades, attendance records, classes attended, grade level completed and year completed shall be maintained for at least 100 years beyond the date the student attains the age of 24.

EASTERN shall send written notification to the parents which shall inform the parents of their right to receive a copy of the material to be destroyed, prior to the destruction of the information.

The destruction of records of students with disabilities is subject to the following conditions:

- A. EASTERN shall inform the parents of a student with a disability when personally identifiable information in the records of the student is no longer relevant to and necessary for the provision of educational services to the student.
- B. Information no longer relevant to and necessary for the provision of education services to the student shall be destroyed by EASTERN upon the request of the parents. A written record of a student's name, address, telephone number, grades, attendance records, classes attended, grade level completed and year completed shall be maintained for at least 100 years beyond the date the student attains the age of 24.
- C. Nothing in this section requires EASTERN to destroy education records, except as stated in paragraph b.
- D. EASTERN shall send written notification to the parents which shall inform the parents of their right to receive a copy of the material to be destroyed, prior to the destruction of the information referred to in paragraph b.
- E. EASTERN shall not destroy education records containing information necessary for the education of a student who is enrolled or has been enrolled in an education program operated by EASTERN.
- F. EASTERN shall maintain records needed for a financial or programmatic audit of any program receiving Federal funding for three years after the completion of the activity for which the funding was used.

A Record Retention Schedule is set forth as an attachment to this procedure.

8. Release of information

The following standards apply regarding the release of information:

Written parental consent shall be obtained before education records or personally identifiable information contained therein is released to any party unless one of the exceptions listed in § 99.31 of the FERPA regulations applies. Examples of the exceptions include, but are not limited to, the following:

- A. The information released is directory information and the release is made under the conditions noted below.
- B. The disclosure is to other school officials (including teachers, contractors, consultants, volunteers, or other parties to whom EASTERN has outsourced institutional services or functions) within EASTERN whom EASTERN has determined to have legitimate educational interests.
- C. The agency requesting the information or record is a school district, school system, or institution of postsecondary education in which the student is enrolled or seeks to be enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer.
- D. The records have been subpoenaed by a judicial authority.
- E. An agency caseworker or other representative of a state or local child welfare agency is permitted to have access to the student's educational records without having to obtain parental consent or a court order. This exception applies to children for whom the public child welfare agency has legal responsibility for their care and protection, specifically those children in the legal custody of the agency who are placed in out-of-home care. This would include children placed under a voluntary placement agreement and shared case responsibility youth who have been adjudicated dependent. Proof of the relationship with the child must be provided. Whenever a student transfers to another school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the student has transferred. The school entity or nonpublic school to which the student has transferred should request the record. The disciplinary record shall be supplied to the receiving school within ten (10) days from receipt of the request to supply a certified copy of the student's disciplinary record. The requirements of this section apply as well to transfers between schools within EASTERN and back to the sending Districts.

If, under this section, parental consent is required for release of information, the school shall provide the parents with the records that are being requested, the reason the release was requested, the party or agency requesting the release and the party or agency to whom the release is to be made.

In the event that EASTERN reports a crime committed by a student with a

disability, EASTERN will ensure that copies of the special education and disciplinary records of the student are transmitted in compliance with FERPA.

9. Directory information

The following standards regarding directory information apply:

A. Former student

The school may, without parental consent, release information from the education records of an individual no longer enrolled in that agency if the information is directory information.

B. Present student

1. An agency may, without parental consent, release personally identifiable information from the education records of a student who enrolled in the agency if the information has been designated as directory information.
2. EASTERN shall give parents annual notice of the categories of information that have been designated as directory information and shall allow the parents of each student a reasonable amount of time to inform EASTERN in writing that any or all of the student's information designated as directory information shall not be released without the parent's prior consent.

C. Secondary student

1. EASTERN shall release, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.
2. A secondary school student or the parent of the student may request that the student's name, address, and telephone listing described in paragraph (a) not be released without prior written parental consent, and the Supervisor of Career Technical Education or his or her designee shall be responsible for notifying parents of the option to make a request and shall comply with any request.

Parents' request for amendment of records

Request to amend - A parent who believes that information in education records collected, maintained or used under this section is inaccurate or misleading or violates the privacy or other rights of the child may request the school to amend the information

- a. The Supervisor of Career Technical Education shall decide whether to amend the information in accordance with the request of the parent within a reasonable time after receipt of the request to amend.
- b. If the Supervisor of Career Technical Education decides to refuse to amend the

information in accordance with the request of the parent, the parent shall be informed of the refusal and the specific reasons for the refusal and EASTERN shall notify the parent in writing of the right to request and receive a hearing.

Records hearing - EASTERN shall, on parent request, provide the parent with an opportunity for a hearing to challenge information in education records if the parent alleges that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child. The hearing shall be conducted according to the following:

- a. The hearing shall be held within a reasonable time after it has received the request for the hearing from the parent or eligible student.
- b. Notice shall be given to the parent or eligible student of the date, time, and place of the hearing, reasonably in advance of the hearing.
- c. The hearing may be conducted by an individual, including an official from EASTERN, who does not have a direct interest in the outcome of the hearing.
- d. EASTERN shall give the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised. The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
- e. EASTERN shall make its decision in writing within a reasonable period of time after the hearing.
- f. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.

Decision to amend - If, as a result of the hearing, EASTERN decides that the information is inaccurate, misleading or otherwise in violation of the privacy of stated rights of students, it shall amend the education records accordingly and so inform the parent in writing.

Decision not to amend - If, as a result of the hearing, EASTERN decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, it shall inform the parent of the right to place in the education record of the student a statement which sets forth the written comments of the parent upon the information in the education records or reasons for disagreeing with the decision of the agency, or both.

- a. The statement of the parent shall be appended by the school to the education records as long as the record or the contested portion thereof is maintained by EASTERN.
- b. If the education records of the student or the contested portion thereof is released by EASTERN to a party, the statement of the parent shall also be released to the party.

- c. This section will not be interpreted to mean that the parent and EASTERN may not by mutual agreement, meet prior to a parent request for a hearing or prior to the hearing itself to discuss the concerns of the parent regarding the accuracy or inaccuracy of the records of the student and to reach resolution.

Fees

Unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's education records, EASTERN may charge a fee for a copy of an education record which is made for the parent or eligible student.

The Director, or his designee, may waive fees that total less than \$10. Fees for copying will be charged according to the following fee schedule which shall be periodically updated.

Copying costs	
Paper copying charge	\$0.25 per page
Electronic records copied to native media Conversion to paper	Actual Cost to EASTERN If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or fee for duplication in the original media unless the requester specifically requests for the record to be duplicated in the more expensive medium.

Adopted: 6/19/13

RECORD RETENTION SCHEDULE

DESCRIPTION DISPOSAL	RETENTION PERIOD	
Student Records ¹ – Official Administrative Record – name, parents/guardians’ names, and place of work, address, telephone numbers, birth date, transcript showing grade levels, courses completed, level of achievement, standardized achievement test scores and attendance, participation in officially recognized activities and sports	100 years	2
Student Records – Medical	2 years after date student last enrolled	2
Student Records – Special Education	Annually review – Retain relevant information ² at least three (3) years after a child’s graduation or three (3) years after that child is no longer of school age	2
Student Records – Discipline	Removed from the student's files at periodic intervals (i.e. when the student transitions to the middle or high school and when the student leaves school. All records of incidents of violence maintained at least until student graduates.	2
Student Records – Other Ex.) grades on teacher prepared tests; interest inventories; family background information	Annually review	2

Disposal Codes

1. Routine – no special precautions
2. Special – confidential records which must be destroyed in a

¹ The Department of Education is to propose new guidelines regarding the retention of student records. Those guidelines have not been released yet and these issues should be revisited when those guidelines are issued.

² Under the IDEA and relevant regulations, EASTERN must inform parents when information is determined to be no longer relevant to provide educational services to the student. Information must be destroyed at the request of the parents, with the exception of the Official Administrative Record and Student discipline records described above.