

**BLOOMSBURG AREA SCHOOL DISTRICT
Policy Manual**

Section: PUPILS
 Title: STUDENT RECORDS
 Date Adopted: AUGUST 17, 1981
 Date Last Revised: 18 May 2009

216. STUDENT RECORDS

1. Purpose The educational interests of students require the collection, retention, and use of data and information about individuals and groups of students while ensuring the individual’s right to privacy. The school district will maintain educational records for students for legitimate educational purposes.
2. Authority The board recognizes its responsibility for compilation, retention, disposition, and security of student records. The board also recognizes the legal requirements to maintain the confidentiality of student records.
 SC 1303a, 1305-A, 1402, 1409, 1532, 1533
 20 U.S. C. Sec. 1232 (g) P.L. 93-380 34 CFR 99 Title 22 Sec. 4.52, 12.31 et seq

The board shall adopt a comprehensive plan for all aspects of student records that conforms to the mandates of the Family Educational Rights and Privacy Act (FERPA) and its regulations; the Guidelines for the Collection, Maintenance, and Dissemination of Student Records; and the Standards for Special Education. Only educational records mandated by federal and state statutes and regulations, or permitted by the Board, may be compiled by district staff.

Parents, guardians, and eligible students eighteen (18) years and older shall be notified annually, and upon initial enrollment, of their rights concerning student records. The notice shall be modified to accommodate the needs of the disabled or those whose dominant language is other than English.
3. Delegation of Responsibility The Superintendent or designee shall be responsible for developing and implementing a comprehensive plan for records of regular students and students with disabilities that meets the requirements of all state and federal statutes and regulations and is approved by the board.

The designated administrator shall establish safeguards to protect the student and his/her family from an invasion of privacy when collecting, retaining,

and disseminating student information and providing access to authorized persons.

SC 1532
Pol. 213, 215

In accordance with law, each district teacher shall prepare and maintain a record of the work and progress of each student, including the final grade and recommendation for promotion or retention.

The district may maintain discipline records for action taken against a student for conduct that was a significant risk to the safety or well-being of the student, other students, or the school community.

Such disciplinary records may be disclosed to teachers and school officials within the district or in other schools that have a legitimate educational interest in the behavior of the student.

The school shall determine when the disclosure of other information from a student's disciplinary record is appropriate.

4. Guidelines

The district's plan for compilation, retention, disclosure, and security of student records shall provide the following:

1. Informing parents, guardians, and eligible students of their rights and the procedures to implement those rights.
2. Permitting appropriate access by authorized persons and officials, describing procedures for access, and listing copying fees.
3. Enumerating and defining the types, locations and persons responsible for student records maintained by the district.
4. Establishing guidelines for disclosure of information and data in student records.
5. Maintaining a record of access and release of information for each student's records.
6. Assuring appropriate retention and security of student records.
7. Transferring education records and appropriate disciplinary records to other school districts.
8. **Transfer of special education records when the district reports a student involvement in a crime in accordance with applicable laws and regulations.**
9. Refer to policies 801 and 802 regarding records policy.

SC 1305-A

51 P.S.
20221 et seq

Procedures for disclosure of student records shall apply equally to military recruiters, colleges, universities, and prospective employers.

The annual notice of rights shall inform parents, guardians, and eligible students of the following:

1. The right to inspect and review the student's education record within forty-five (45) days of the district's receipt of the request for access.
2. The right to request amendment of the student's education records that the parent, guardian, or eligible student believes to be inaccurate, misleading, or otherwise violate the privacy rights of the student.
3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA and state laws authorize disclosure without consent.
4. The right to be informed of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest of the district, and what materials may be disclosed without prior consent.
5. The right to refuse to permit the designation of any or all categories of directory information.
6. The right to request that information not be provided to military
7. recruiting officers.

51 P.S.
20221 et seq

20 U.S.C.
Sec. 1232g
P.L. 93-380
34 CFR 99

51 P.S.
20221 et seq

Pa Code
Title 22
Sec. 4.52,
12.31 et seq

School Code
1303a, 1305-
A, 1402,
1409, 1532,
1533

Board Policy
213, 215

**STUDENT RECORDS
NOTIFICATION OF RIGHTS
PARENTS/ELIGIBLE STUDENTS**

The Family Educational Rights and Privacy Act (FERPA) and Pennsylvania law afford parents/guardians and students eighteen (18) years of age and over (eligible students) certain rights with respect to the student's educational records, as follow:

1. The right to inspect and review the student's educational records within forty-five (45) days of the district's receipt of a request for access.

A parent or eligible student making such a request must submit to the school principal (or appropriate school official) a written request that identifies the record(s) he/she wishes to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. **Schools are not required to provide copies of records unless for reasons of great distance it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.**

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

A parent or eligible student may request the district to amend a record he/she believes is inaccurate, misleading, or violates the privacy rights of the student by clearly identifying in writing the part of the record he/she wants changed and specifying why it is inaccurate, misleading, or violates the privacy rights of the student. The request shall be made to the building principal (or appropriate school official).

If the district decides not to amend the record as requested, the principal will notify the parent or eligible student of the decision and advise him/her of the 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 disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent.

Disclosure of personally identifiable information can be made without consent to the following:

- a. School officials, including teachers, with a legitimate need to review an education record in order to fulfill their professional responsibilities. This may include the disclosure of disciplinary information regarding

conduct that poses a significant risk to the safety or well-being of the student or others. A school official is a person employed by the district, such as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement 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/her tasks.

- b. Officials of another school or school system in which the student seeks or intends to enroll. In this case, disciplinary information may be included. The district will make a reasonable attempt to notify the student's parents prior to the disclosure of information and will provide the parent with a copy of the record if so requested.
- c. Authorities named in FERPA and accompanying federal regulations, including authorized representatives of the Comptroller General of the United States, Secretary of Education, and state and local educational authorities.
- d. Officials connected with a student's application for a receipt of financial aid.
- e. State and local officials who are required to get specific information pursuant to state law if the disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released. If the state statute was enacted after November 19, 1974, the officials must certify in writing that the information will not be disclosed to any other person, except as provided by state law, without prior written consent of the parent.
- f. Educational testing and research organizations for the purpose of administering student aid programs or improving instruction or predictive tests as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
- g. Accrediting institutions.
- h. In emergency situations, to appropriate persons if the information is necessary to protect the health and safety of the student or others.
- i. Anyone, if required by a court order or subpoena. However, where the subpoena is issued by a federal grand jury, the district will make reasonable efforts to notify the parent or eligible student prior to complying with the subpoena or court order.

The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.

.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, SW
Washington, DC 20202-4605

.5 The right to refuse to permit the designation of any or all of the categories of directory information.

The district is permitted by law to disclose directory information without written consent of the parent or eligible student. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if a written refusal is forwarded to building principal by the fifth day of school of the current school term.

Directory information which may be released may include the student's name; date and place of birth; major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; the most recent and previous education agency or institution attended by the student; email address; photograph; and other similar information.

.6 The right to request that information not be provided to military recruiting officers.

Names, addresses, and home telephone numbers of secondary school students will be released to military recruiting officers unless a student submits within twenty-one (21) calendar days a written request to the superintendent that such information not be released.