

BIG SPRING SCHOOL DISTRICT

NO: 216
SECTION: PUPILS
TITLE: STUDENT RECORDS
ADOPTED: APRIL 2, 2004
REVISED: OCTOBER 15, 2012
FEBRUARY 2, 2015

216. STUDENT RECORDS	
<p>1. Purpose</p>	<p>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.</p>
<p>2. Authority SC 1303a, 1305-A, 1402 (b), 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 Title 22 Sec. 342.68</p>	<p>The Board recognizes its responsibility for compilation, retention, disposition and security of student records. The Board also recognizes the legal requirement to maintain the confidentiality of student records. A complete set of educational records is maintained for each student enrolled in the school district.</p> <p>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.</p> <p>Only educational records mandated by federal and State statutes and regulations or permitted by the Board may be compiled by district staff.</p> <p>Parents, guardians and/or students eighteen (18) years of age 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.</p>
<p>3. Definitions</p>	<p>The following definitions are provided for terms used throughout the policy:</p> <ol style="list-style-type: none"> 1. Attendance - includes, but is not limited to, attendance in person, and by correspondence, and the period during which a person is working under a work-study program. 2. Commissioner - means the United States Commissioner of Education. 3. Directory Type Information - includes the following information relating, to a

	<p>student:</p> <p>Name, address, telephone number, electronic mail address, date and place of birth, names of parents and siblings, dates of attendance, whether the student graduated and the date of graduation, awards received, participation in District-approved extracurricular activities, weight and height of interscholastic athletic team members, photographs, schools attended within the District, or other similar information any or all of which may be used to publicize student activities of the school district.</p> <p>4. Disclosure - means permitting access or the release, transfer, or other communication of educational records of the student or the personally identifiable information contained therein, orally or in writing, or by electronic means, or by any other means to any party.</p> <p>5. Educational Institution - means any public or private agency or institution which is the recipient of funds under any federal program.</p> <p>6. Education Records - Any personally identifiable information recorded or stored by any means—including, but not limited to, information that is handwritten, typed, printed, or stored on computer media, microfilm, microfiche, video or audio tape, film, or digital medium—that is directly related to the student and is maintained by the District or by an individual or agency acting on behalf of the District regardless of the current location of such record. The term does not include the following:</p> <ul style="list-style-type: none">a) records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons—including, but not limited to, instructional support teachers, counselors, therapists and clinicians, school psychologists and psychiatrists, nurses, and instructional aides—that are kept in the sole possession of the maker of the record and the contents of which are not accessible or revealed to any other person except a substitute for the maker of the record;b) records that contain only information about the student after he or she is no longer a student in the District or receiving District-supported education;c) grades and other forms of peer assessment or rating before they are collected and recorded by a teacher; andd) other records specifically excluded from the definition of “education record” under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and its implementing regulation, 34 C.F.R. Part 99. <p>7. Eligible Student - means a present or formal student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.</p> <p>8. Maintain or maintained - In the case of personally identifiable information on</p>
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	<p>paper or stored on magnetic or video tape, the term shall mean information kept in a secure file or desk drawer or in the continuous and secure control of a school official with a legitimate educational interest in the content thereof. In the case of personally identifiable information that is stored electronically, including electronic mail, the term shall mean information kept in a secure electronic storage system or site, whether located locally or remotely, specifically designated by the Superintendent or his or her designee as a “student records maintenance site.” The District electronic mail server or servers, or directory or directories, and the files on local or remote disk drives, computers, servers, portable media, or mobile devices shall not for any purpose constitute a “student records maintenance site” unless explicitly so designated by the Superintendent or his or her designee in writing, and any personally identifiable information stored thereon shall either be deleted or moved to a “student records maintenance site” at least once annually. Personally identifiable electronic information, including electronic mail, shall not be considered to be “maintained” by the District or by any individual or agency acting on behalf of the District unless and until it is moved to or stored in or on a “student records maintenance site.”</p> <p>9. Parent - means a natural or adoptive parent, or an individual acting as a parent of a student in the absence of a parent or guardian. This applies generally unless a court order or State law provides to the contrary.</p> <p>10. Review Panel - means the body which will adjudicate a case under the proper section of this policy.</p> <p>11. Party - means an individual, agency, institution or organization.</p> <p>12. Record - means any information or data recorded in any medium including. but not Intuited to: handwriting, print, tapes, film, microfilm, microfiche. or electronic storage.</p> <p>13. Personally Identifiable Information means any one or more of the following:</p> <ul style="list-style-type: none">a) The student’s name;b) The name, including maiden names, of any member of the student’s family;c) The current or past address, or the date or place of birth, of the student or any member of the student’s family;d) A personal identifier such as a social security number, student number or code, or biometric information consisting of one or more measurable biological or behavioral characteristic that can be used for automatic identification of an individual;
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<p>4. Delegation of Responsibility</p> <p>SC 1532 Pol. 213, 215</p> <p>Guidelines</p> <p>SC 1305-A</p> <p>Act 10 of 1991</p>	<p>e) information that, alone or in combination, is linked or linkable to a specific student such that a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, could use such information to identify the student with reasonable certainty; or</p> <p>f) information requested by a person whom the educational agency or institution reasonably believes knows the identity of the student to whom such information relates.</p> <p>The Superintendent or designee shall be responsible for developing and implementing a comprehensive procedure or the maintenance, dissemination and destruction of student records that meets the requirements of all State and federal statutes and regulations.</p> <p>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.</p> <p>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 a recommendation for promotion or retention.</p> <p><u>Compilation, Retention, Disclosure, Destruction, and Security</u></p> <p>The District's procedure for compilation, retention, disclosure, destruction, and security of student records shall provide for the following:</p> <ol style="list-style-type: none"> 1. Informing parents and 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.
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	<p>8. Establish appropriate procedures for the maintenance and destruction of student records.</p> <p>The procedures for disclosure of student records shall apply equally to military recruiters, colleges and universities and prospective employers.</p> <p>The annual notice of rights shall inform parents, guardians and/or eligible students of the following</p> <ol style="list-style-type: none">1. The right to inspect and review the student's education record within thirty (30) days of the district's receipt of the written request for access.2. The right to request amendment of the student's education records that the parent or guardian or eligible student believes are 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 criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if the district discloses certain materials without prior consent.5. The right to refuse to permit the designation of any or all of the categories of directory information.6. The right to request that information not be provided to military recruiting officers. <p><u>Procedures for Challenge</u></p> <p>An eligible student or parent may challenge information in the following manner:</p> <ol style="list-style-type: none">1. The parent and/or eligible student will indicate in writing the nature of the challenge. This notification will be directed to the Superintendent.2. Within ten (10) days the Superintendent will arrange for a conference with the parent and/or eligible student to resolve the conflict. The Superintendent may designate a representative.3. If the challenge cannot be resolved, the Superintendent will cause a review panel to meet within thirty (30) days. Parents and/or eligible student will be afforded a hearing with the right to counsel, at their own expense, the right to present evidence and to cross-examine any
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	<p>witnesses. The parent and/or eligible student will be notified of the time and date ten (10) days prior to the hearing.</p> <ol style="list-style-type: none">4. The review panel may consist of:<ol style="list-style-type: none">a. The Superintendent or designated representative.b. Building principal involved.c. School solicitor.d. Designated Board member.e. Co-chairperson of the Meet & Discuss Committee.5. A decision in writing will be made within ten (10) days following the hearing and shall include a summary of evidence presented and reasons for the decision.6. If, as a result of a hearing, the school district decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, it shall inform the parents or eligible student of the right to place in the educational records of the student a statement commenting upon the information in the educational records and/or setting forth any reasons for disagreeing with the decision of the school district. An explanation placed in the educational records of the student under the above paragraph will (1) be maintained by the district as part of the record of the student as long as the record or contested portion thereof is maintained by the district, and (2) if the record of the student or the contested portion thereof is disclosed by the school district to any party, the explanation will also be disclosed.7. Parents or eligible students may register alleged violation of the Act to the Family Educational Rights and Privacy Act Office, Department of Education. Room 4074. Switzer Building, 330 C Street S.W., Washington, D.C. 20202. <p><u>Dissemination of Information Regarding Pupils</u></p> <ol style="list-style-type: none">1. The District shall establish procedures that ensure that the parent, student, eligible student, or guardian have access to inspection of all records kept by the school.2. The District shall establish procedures, in compliance with all federal and state law that explain when records can be released with and without written parent consent and to whom those records would be released.
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3. Directory-type information may be released for publicizing student activities of the school district unless the parent or eligible student indicates in writing that such personally identifiable information is not to be designated as directory information with respect to that student.

Discipline Records

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 himself/herself, other students or the school community.

Such disciplinary records may be disclosed to teachers and school officials within the district or in other schools who 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.