

School District of the City of Allentown

SECTION: PUPILS

TITLE: STUDENT RECORDS

ADOPTED: 11/16/06

REVISED:

<p>1. Purpose</p> <p>2. Authority SC 1303a, 1305-A, 1402, 1409, 1532, 1533 20 U.S.C. §1232(g) P.L. 93-380 34 C.F.R. 99 Title 22, §§4.52, 12.31, <i>et. seq.</i></p> <p>3. Delegation of Responsibility</p> <p>4. Guidelines 10 U.S.C. §503 20 U.S.C. §7908 20 U.S.C. §1232g P.L. 93-380 34 C.F.R. §99 51 P.S. §20221 <i>et</i> <i>Seq.</i> 22 PA Code §4.52, 12.31, <i>et seq.</i> SC §§1303a, 1305-A, 1402, 1409,</p>	<p>Educational records as defined herein must be protected from illegal, unethical or inappropriate disclosure through adherence to principles of confidentiality. The need to protect privacy must be balanced with the need to provide appropriate educational programming and to protect the safety and health of students and employees.</p> <p>This policy shall be interpreted in accordance with and consistent with the following laws and corresponding regulations: the Family Educational Rights and Privacy Act (FERPA); the Individuals with Disabilities Education Act (IDEA); the No Child Left Behind Act of 2001 (NCLB); the Health Insurance Portability and Accountability Act (HIPAA); the Pennsylvania School Code and Regulations of the State Board of Education, and any other applicable laws and regulations.</p> <p>This Policy supplements the District's Annual Student Records Notice. That Notice is issued annually and published in the Student Code of Conduct and on the District website, www.AllentownSD.org.</p> <p>Management of student records shall be overseen in each building by the Principal or designee. General questions or complaints regarding student records or requests for copies must be directed to: Director, Community & Student Services, 31 S. Penn St. PO Box 328, Allentown, PA 18105. A copy of this policy shall be provided in a Parent or Student's native language whenever requested.</p> <p>The district's procedure for compilation, retention, disclosure and security of student records shall provide for the following:</p> <ol style="list-style-type: none"> a. Informing parents/guardians and eligible students of their rights and the procedures to implement those rights. b. Permitting appropriate access by authorized persons and officials, describing procedures for access, and listing copying fees. c. Enumerating and defining the types, locations and persons
--	--

1532, 1533	responsible for student records maintained by the district.
SC 1305-A	<ul style="list-style-type: none"> d. Establishing guidelines for disclosure of information and data in student records. e. Maintaining a record of access and release of information for each student's records. f. Assuring appropriate retention and security of student records g. Transferring education records and appropriate disciplinary records to other school districts.
5. Directory Information and Other Types of records	Directory Information
20 USCS §§ 6301,et.seq 20 USCS § 1232g 51 P.S. §20221,et seq.	<p>The release of information from a student's education record is generally not considered an invasion of a student's privacy. A school can disclose those items it designates as directory information from a student's education record without prior parental consent unless apparent objects in writing. The District has designated the following as directory information: Student's name, address, telephone listing, date and place of birth, grade level, most recent school attended, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic team, photo, dates of attendance, honor rolls, and awards received. All parents and eligible students may refuse consent for the general disclosure of directory information by completing the District's Form to Request To Withhold Directory Information. Pursuant to the NCLB, the District is required to release student directory information to military recruiters. Any parent or eligible student may notify the District in writing of their refusal for this information to be released by returning the District's form.</p>
50 P.S. § 7403 P.L. 104-191	Mental Health Records
50 P.S. § 7403 P.L. 104-191	Mental Health records received by the School District shall not become part of a student's educational records file unless needed for educational programming or medical purposed and expressly released by the Student (for students age fourteen and over) or Parent.
24 P.S. § 13-1307-A	Records on Discipline and Violent Acts
24 P.S. § 13-1307-A	The District shall maintain updated records of all incidents of violence, incidents involving possession of a weapon and convictions or adjudications of delinquency for acts committed on school property by students enrolled therein on both a district-wide and school-by-school basis. These records shall be forwarded to a school where the Student transfers or seeks to enroll without prior parental consent.
P.L. 10-446	Test Protocols under the Individuals with Disabilities Education Act (IDEA)
P.L. 10-446	Students' test protocols will be maintained separately from other education records in confidential files and are not part of a student's main educational records. Pursuant to the IDEA, parents may request an opportunity to review and discuss specific testing results with an evaluator. During such a meeting, testing materials can be reviewed and explained.

<p>6. Requests For Inspection Of Records 20 USCS § 1232g</p>	<p>Eligible Student: A student who has reached the age of eighteen (18) or older or is attending a post-secondary education institution. Eligible students can access their own educational records.</p>
<p>34 C.F.R ' 300.562.</p>	<p>Parent: Includes a biological parent, a guardian who can be either an individual or agency having educational rights, an individual acting as a parent in the absence of a parent or guardian, or a foster parent who can show that he or she has educational rights. Where no individual or agency acting as a parent can be located, an appointed and approved surrogate parent may have educational rights.</p> <p>In general, student records shall not be disclosed or released without prior, written parental consent, except as provided for in the law and as described herein. Any parent or eligible student shall have the right to inspect and copy all education records maintained by the School District. Parents may only review the education records in their own child's file. The District may charge a fee for the copy of an educational record. Upon a showing of financial hardship, copies may be provided free of charge.</p> <p>The District will comply with a request to review records within 45 calendar days from the date of the written request. Written requests shall be submitted to the student building principal. A building principal, or designee shall be present during a parent or eligible student's inspection of educational records at a school building.</p> <p>Parents of students receiving special education services may designate an individual to review his or her student's education records. The School District must be provided with written consent signed by the student's parent for this to occur.</p>
<p>7. Request for Disclosure</p>	<p>All disclosures requiring written parental/eligible student consent shall be made only once the consent has been received by the building principal, or records custodian, and will be maintained with a Record of Release for the file. The written consent must contain: a date and any time limit for release, the records to be disclosed, the purpose of the disclosure and the specific person to whom the records shall be released.</p>
<p>8. Disclosures made where prior consent is not required</p>	<p>Educational records may be disclosed by an authorized official of the School District without prior parental consent in accordance with FERPA. Disclosure may be made to following only when the receiving party signs a <i>Non-Disclosure of Released Information</i> form:</p>
<p>20 USCS § 1232g(b) 34 C.F.R. Part 99</p>	<ul style="list-style-type: none"> a. Other school officials who have been determined by the District to have legitimate educational interests. b. Officials of other schools, including post-secondary schools, in which the student seeks or intends to enroll, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record; c. Authorized representatives of federal, state or local government; d. In connection with a student's application for, or receipt of, financial aid. e. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering

<p>9. Challenges to the Content of a Student's Education Record</p>	<p>predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by person other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.</p> <ul style="list-style-type: none"> f. Accrediting organizations in order to carry out their accrediting functions. g. In connection with an emergency, appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons. It shall be the policy of this School District to utilize this exception to the consent requirement only where the health and safety emergency is imminent, the threat serious and the need for information immediate; and h. Pursuant to a subpoena or judicial order. The District will seek to contact the parents of the student to notify them of the release of information in advance of compliance. <p>A parent or eligible student has the right to request amendment of a student's educational file if it is believed that any information is inaccurate or in violation of a student's rights. Requests for amendment of a student's file should be directed to the Director, Community & Student Services, 31 S. Penn St., PO Box 328, Allentown, PA 18105.</p>
<p>10. Destruction of Educational Records</p>	<p>This School District shall decide within a reasonable time whether to amend the record. If the District does not amend the educational record, it shall notify the parent/eligible student of the right to and arrange an informal hearing.</p> <p>The written decision on whether or not to amend the educational record will be provided to the parent/eligible student who requests the hearing within a reasonable time after the date of the hearing, but no longer than 60 school days. If a complaint cannot be satisfactorily resolved by the District, a Parent can file a complaint at the following federal office: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W., Washington, D.C. 20202-4605.</p> <p>The district may destroy educational records when they are no longer needed to provide educational services to a student.</p> <p>Records that include a student's name, address, grades, attendance records, course work completed, and graduation status, otherwise known as a student's cumulative file, may be destroyed once 100 years have past since a student's 24th birthday.</p> <p>Special Education Records, Section 504 records, IST records, discipline and health records may be destroyed once five (5) years has passed from the date a student has graduated or reached graduation age as long as there is no outstanding requests to inspect and review the records, and the records are no longer needed by the District.</p> <p>Any records not contained in a student's special education file, are no longer needed by the District to provide educational services at the end of one year following a student's graduation from the District and may be destroyed at that time.</p>