

STUDENT RECORDS

The purpose of this policy is to insure the confidentiality and availability of student records in accordance with state and federal law.

Responsibility

The Superintendent of Schools shall require each Building Principal to develop the following procedures pertaining to student records:

- Safekeeping in a central location in each building.
- Develop, maintain and process regularly and to dispose of records in accordance with Schedule ED-1 of the Commissioner's regulations as adopted by the Board in policy 1120.
- Designate school personnel to carry out the above responsibilities.

Definitions

<u>Student</u>	Includes any person with respect to whom Chittenango Central School maintains educational records or personally identifiable information, but does not include a person who has not been attending school.
<u>Eligible Student</u>	Defined as those students who are 18 or older or former students who are attending any school beyond the high school level. The rights created by the Family Rights and Privacy Act (FERPA) transfer from the parents to the student once the student attains eligible student status.
<u>Parent</u>	Defined as the adult to whom the student is legally responsible. When applicable, the legal parent may be defined by the court as only one of the natural parents or as a legal guardian.
<u>School Officials</u>	Defined as professional staff who have a legitimate educational need and other staff members designated by the Building Principal.
<u>Education Records</u>	Defined as records, files, documents or other materials maintained by Chittenango Central School or by a person acting for it, which contains information files and data directly related to the student, including all material that is incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or school system and possibly including, but not necessarily limited to identifying data, academic work completed. Level of achievement (grades, standardized achievement test scores), attendance data, inventory

results, health data, family background information, teacher or counselor ratings and observations and verified reports of serious or recurrent behavior patterns.

Experimentation or
Research Project

Defined as a program designed to explore or develop new or unproven teaching methods or techniques.

Access to Educational Records by Students and Parents

A. Inspection of Records

1. A parent of a student under 18 years of age has the right to inspect that student's records.
2. An eligible student has the right to inspect his/her records.
3. Such inspection may be done during regular school hours with a qualified member of the school staff in attendance. Following such an inspection, a copy of such records may be requested and should be given without charge.
4. Nothing in the above shall prohibit a student under 18 years of age from asking and receiving information about the contents of his/her record from a qualified staff person in reference to grades and general testing. Nor shall it prohibit a parent from inspecting the record of a student over 18 years of age or who left school if such a student is still dependent on the parent.

B. Record Challenge and Appeal

A parent of a student under 18 years of age or an eligible student may challenge such a record if he/she believes it to be inaccurate or misleading or in violation of his/her rights of privacy.

The challenge must be submitted in writing to the Building Principal and describe both the exact portion of the record and why it should be rewritten or removed. The Principal shall have 14 school days after receipt of the written challenge to reply. Failure to do so allows the petitioning party to proceed with established grievance procedures.

Confidentiality/Prior Consent

Except to the extent that FERPA authorizes disclosure of student records without consent, student records, and any material contained therein which is personally identifiable, are confidential and will not be released or made available to persons other than parents and eligible students without a prior written release by the parent or eligible

student. Such a written release will define what records and to whom they will be released.

Exceptions to Prior Consent

Exceptions to the FERPA's prior consent requirement include, but are not limited to disclosure:

1. To other school officials within the district who have been determined to have legitimate educational interests.
2. To officials of another school, school system or postsecondary institution where the student seeks or intends to enroll.
3. To authorized representatives of the Comptroller General of the United States, the U.S. Secretary of Education, or state and local education authorities in connection with an audit or evaluation of a federal- or state-supported education program or in compliance with legal requirements related to those programs.
4. In connection with the student's application for or receipt of financial aid.
5. To state and local officials or authorities in compliance with state law that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are being released.
6. To organizations conducting studies for, or on behalf of, education agencies or institutions, in order to develop tests, administer student aid, or improve instruction.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student, as defined by the Internal Revenue Code.
9. To comply with a judicial order or lawfully issued subpoena. Prior to complying with a judicial order or subpoena, the district will make a reasonable effort to notify the parent/guardian or eligible student, unless the district has been ordered not to disclose the existence or content of the order or subpoena.
10. In connection with a health or safety emergency.
11. To teachers and school officials in other schools who have legitimate educational interests in the behavior of the student when the information concerns disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
12. To provide information that the district has designated as directory information.
13. To provide information from the schools law enforcement unit records.

Unless specifically exempted by FERPA, all persons requesting access to student records will be required to sign a written form which indicates the legitimate educational interest that such person has in inspecting the records. Such form will be kept with the student's file and will be maintained with the student's file as long as the file is maintained.

Notification of Record Releases

When records are being transferred to another institution where the student has indicated future enrollment, the parent or eligible student must be notified. A copy may be requested and the contents may be challenged.

When records have been requested by the courts, the parent or eligible student must be notified prior to the transfer. A copy of such information may also be requested by the parent or eligible student.

Ref: Family Educational Rights and Privacy Act, 20 USC 1232g; 34 CFR Part 99
Education Law § 225
Public Officers Law § 87(2)(a)
Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)
8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for Use by School Districts and BOCES

Adoption date: June 4, 2002

Effective: July 1, 2002