

## **Student Records**

The district's Records Management Officer will provide overall supervision of student records management. The district's Records management Officer will control and enforce the student records policy and administrative procedures in the following manner.

### **Record Custodians**

The Registrar at middle schools and high schools and the Office Manager at elementary schools is the custodian of the student Cumulative folder (Student File folder) and Supplementary records as defined in this procedure.

While the Registrar or the Office Manager (as the case may be) is responsible for maintaining the file, the responsibility for ensuring that file contents are accurate, rests with senior custodians who are the appropriate building employees (e.g. principal, vice principal, psychologist, counselor, nurse, attendance specialist or secretary, etc.)

### **Type of Records**

Student records will be divided into two categories:

#### **A. Cumulative Folder**

The cumulative folder may contain all information about a student which is collected and maintained on a routine basis, such as identifying information (name, birth date, sex, year in school, address, telephone number, parent's name, ethnic classification, emergency information, including parent's place of employment, family doctor, babysitter, siblings); attendance records, including date of entry and withdrawal; grades and other student progress reports; results of tests of school achievement, aptitude, interests, hearing and vision; health and immunization status reports; records of school accomplishments and participation in school activities; verified reports of misconduct, including a record of disciplinary action taken; and such other information as will enable staff to counsel with students and plan appropriate activities. Identifying information may be limited if the student is a participant in the state Address Confidentiality Program.

#### **B. Supplementary Records**

Supplementary records about a student may be collected and maintained in connection with special school concerns about the student, such as confidential health information or reports connected with assessment and placement of a student who is formally identified as a "focus of concern". These may include reports from non-school persons and organizations such as physicians, psychologists and clinics, except for general screening purposes; reports pertaining to specific problems associated with the student; and current reports of psychological tests and progress reports related to a student's disabling condition; verified reports of misconduct including disciplinary action taken. Special Education records and 504 Plans included in records will be dated and signed.

### **Working Notes**

For the purpose of this procedure, working notes of staff are defined as those records about students which are maintained in the sole possession of the writer and are not accessible or revealed to any other person except a substitute for that staff member. Working notes are not considered student records within the purview of this procedure.

## Access, Inspection and Review of Student Records

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232; 34CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Parents and adult students will be notified annually of their right to inspect and review the records of their children and their other rights under the Family Educational Rights and Privacy Act through the following:

[www.bsd405.org/Portals/0/.../August%20Notices/OfficialNotices2012.pdf](http://www.bsd405.org/Portals/0/.../August%20Notices/OfficialNotices2012.pdf)

### A. Parents

Parents of dependent children have the right to inspect the cumulative folder and/or supplementary records of their children.

1. The parent will be provided analysis and interpretation by qualified staff of all information in the cumulative folder and supplementary records. This action may be initiated by the parent or a staff member. The review will occur in no case later than 45 days after the request.
2. Inspection and review will be conducted during normal working hours, unless the senior custodian (teacher, counselor, nurse, psychologist, principal) consents to other arrangements. Senior Custodians will provide assistance in the interpretation and analysis of student records as needed. Although records must remain within district control, they may be copied or reproduced by or for the parent or eligible student at their own expense. The district will provide the requestor the first 100 pages of copies free of charge each year. Copies of records exceeding 100 pages each year will be charged ten cents per page.

### B. The Student

Information from the cumulative folder will be interpreted to the student upon his/her request. Information contained in supplementary records will be interpreted to the student upon his/her request and with the consent of the parent. The adult student may inspect his/her cumulative folder and supplementary records. The right of access granted the parent or adult student includes the right to be provided a list of the types of student-related education records maintained by the school and the district. The parent and adult student will have the right to inspect or to be informed of the content of any record containing personally identifiable information regarding more than one student, provided that the right to access will apply only to that portion of the record or document which relates to the student. Upon graduation from high school, a student may request to receive a final transcript in addition to the diploma. FERPA give parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. The students to whom the rights have transferred are "eligible students." FERPA rights include: include:

1. The right to inspect and review the student's education records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The records custodian will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students may ask the district to amend a record that they believe is inaccurate, misleading or in violation of the student's privacy rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading or in violation of the student's privacy rights. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their 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. Parents or eligible students have a right to inspect or review information including when the student is a dependent under IRS tax code, when the student has violated a law or the school rules regarding alcohol or substance abuse (and the student is under 21), and when the information is needed to protect the health or safety of the student or other individuals.
4. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, hearing officer, 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 or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.  
Upon request, the district discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.
5. 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 S.W.

**C. Staff**

Staff or other school officials who have a legitimate, educational interest in a student will have access to the cumulative folder and any supplementary records.

**D. Other Districts**

Other districts will be provided with records upon official request from the district, unless the student has an outstanding fee or fine. In those instances the enrolling school will be provided with the student's academic, special placement, immunization history and discipline records within two school days, but the official transcript will be withheld until

the fee or fine is discharged. The enrolling school district will be notified that the transcript is being withheld due to an outstanding fee or fine. At the time of transfer of the records, the parent or adult student may receive a copy of the records at his/her expense if requested and will have an opportunity to challenge the contents of the records. Parents will be advised through the annual Student Rights and Responsibilities Handbook that student records will be released to another school where the student has enrolled or intends to enroll.

**E. Other Persons and Organizations**

Prospective employers may request to review the transcript of a student. Such requests will be honored only upon receipt of the parent or adult student’s signed authorization and appropriate fee. Information contained in the cumulative folder and supplementary records of a student will be released to persons and organizations other than the student, parent, staff and other districts only with the written consent of the parent or adult student with the following exceptions:

1. Directory information may be released publicly without consent upon the condition that the parent or adult student be notified annually of the school’s intention to release such information and be provided the opportunity to indicate that such information is not be released without prior consent. Such information will not be released for commercial reasons. The district has designated the following information as directory information: the student’s name, address, telephone number and electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards; the most recent educational agency or institution attended; student identification number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access records without a PIN, password, etc. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information. Social Security numbers, student identification numbers (with authentication factors such as a secret password or personal identification number) or other personally identifiable information is not conserved directory information:
  - a. Information may be released to authorized representatives of the comptroller general of the United States, the commissioner of education, and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements for such programs.
  - b. Information may be released to state and local officials to whom such information is specifically required to be reported or disclosed pursuant to Washington state statute (examples: reporting child abuse or referrals to juvenile court for truancy).
  - c. Information may be released to organizations who have contracted with the Bellevue School district and are conducting studies for educational agencies

for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than the representatives of such organizations and if such information will be destroyed when no longer needed for the purpose for which it has been gathered.

- d. Information may be released in compliance with a judicial order or lawfully issued subpoena including ex parte court orders under the USA Patriot Act, upon condition that a reasonable effort was made to notify the parent or adult student in advance of such compliance unless such notice is not allowed by the order or subpoena.
- e. Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons. The district will take into account the totality of the circumstance and determine if there is an articulable and significant threat to the health or safety of the student or other individuals. When information from a student's record, other than directory information, is released to any person or organization other than staff, a record of such release will be maintained as part of the specific record involved. Telephone requests for information about students will not be honored unless the identity of the caller is known and the caller is authorized to receive the information under provisions of these procedures. A record will be made of any such release of information and placed in the student's cumulative folder. This record of access will include date of access, name of the party granted access and the legitimate educational interest of the party granted access.
- f. Federal law requires the district to provide military recruiters, upon request, with the following information for 11th and 12th grade students – names, addresses and telephone listings – unless parents have advised the district that they do not want their child's information disclosed without their prior written consent using the opt-out provision on the Registration Form.

### **Confidential Health Records**

The school Nurse is the custodian of confidential health records. These records should be stored in a secure area accessible only to the school health care provider, unless an appropriately executed release under Ch. 70.02 has been obtained. Such records are also covered by the Family Education Rights and Privacy Act, permitting parent access to review and otherwise exercise FERPA rights regarding the records. There is a higher standard of confidentiality and minor student's rights of privacy for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment are more restrictive than ordinary medical releases.

### **Challenges and Hearings**

At the time of inspection and review the parent or adult student granted access to records may challenge the appropriateness and accuracy of any record directly related to the student and may demand correction or deletion. Custodians (teacher, counselor, nurse, and psychologist) may honor such demands by correcting or deleting records which are misleading, violative of

privacy or inaccurate, provided that the senior custodian (principal or department head) concurs.

If the demanded correction or deletion is denied by the senior custodian, the parent or adult student may request an informal hearing before the superintendent, which hearing will be held within 10 school days of the receipt of such request. During the hearing the superintendent will review the facts as presented by the parent or adult student and the custodian and decide whether or not to order the demanded correction or deletion. The superintendent will send his/her written decision to the parent or adult student within 10 school days of the hearing.

Upon denial of correction or deletion by the superintendent, the parent or adult student may request in writing a hearing before the board, which hearing will be conducted at its next regular meeting. During such hearing, which will be closed to the public, the board will review the facts as presented by the parent or adult student and senior custodian and decide whether or not to order the demanded correction or deletion. The board will send its written decision to the parent or adult student within 10 school days of the hearing.

### **Maintenance of Student Records**

The district will use an array of methods to insure confidentiality and protect records, including passwords, physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records) and administrative procedures.

#### **Custodians will:**

- A. Request student records from other schools
- B. Maintain security of student records
- C. Transfer, destroy and correct records as permitted
- D. Maintain only those records by these procedures
- E. Safeguard student records from unauthorized use and disposition
- F. Maintain access records
- G. Honor access requests for parent or adult student
- H. Delete or correct records upon approval of the senior custodian or upon order of the superintendent or the board; and
- I. Follow the records review schedule and procedures established by the senior custodian

#### **Senior Custodians will:**

- A. Supervise activities of their custodians
- B. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents or adult students
- C. Establish records review schedules and procedures for their respective schools or departments in accordance with procedures governing records disposition
- D. Upon transfer of the student to the next level (elementary to middle school, middle school to high school) or upon graduation or transfer outside the district, remove for retention, preservation or destruction in accordance with applicable disposition procedures any records no longer pertinent to educational program placement.
- E. Certify to the district records custodian by June 30<sup>th</sup> of each year the following
  1. Only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and
  2. Required reviews have been accomplished.

## Records and Transfer of Records

The permanent student record will serve as the record of the student's school history and academic achievement. Permanent records filed in the student's cumulative folder are to be extracted and retained before disposition of the folder.

Within two days after receiving a request, the district will furnish a set of unofficial educational records to the parent of a student transferring out of state who meets the definition of a child of a military family in transition. When a student transfers to another school in the district, all records including the permanent student record will be transmitted to the other school. When a student transfers to a school outside of the district, the senior custodian will purge the cumulative folder of all nonofficial, extraneous information. A copy of all records will be sent to the requesting school, unless the student has an outstanding fee or fine. In those instances the enrolling school will be provided with information regarding the student's academic, special placement, immunization history and discipline records within two school days, and the records will be sent as soon as possible. The official transcript will be withheld until the fee or fine is discharged. The enrolling school district will be notified that the transcript is being withheld due to an outstanding fee or fine. The cumulative folder for an elementary or middle school student who leaves the district will be maintained for two years after discontinuance of enrollment in the district.

Cumulative folders of high school students will be retained for three years at the district Records Center after graduation from high school or for three years after discontinuance of high school enrollment. Contents of a student's supplementary records will be maintained according to the State of Washington Records Retention Schedule. A parent or adult student, at his/her expense, may receive a copy of all records to be transmitted to another district.

**NOTE:** Upon withdrawal or graduation, records should be reviewed prior to transfer to the Records Center in accordance with the Records Guide. At the end of each school year, schools shall complete a form indicating what records were destroyed before transferring long-term and permanent records to the Records Center.

## Special Education Records

At the time a student graduates from school or ceases to need special educational services, the student's Special Education records will be retained by the district's Special Education Department for six years. At the conclusion of the six year retention period, notice will be sent to the last known address of the parent/legal guardian or adult student informing them of the imminent destruction of records. WAC 392-172A-05235.

## Discipline Records

Employees of the Bellevue School District will not respond to specific inquiries on college applications regarding student disciplinary records unless the student requests otherwise. Exceptions may be made in cases of expulsion or student safety, or when the student requests disclosure.

## Disposition of Student Records

After exercising care in accordance with that contained in the previous section (Maintenance of Student Records), the senior custodian will:

- A. Remove all unnecessary items from the file and
- B. Put the records to be destroyed in a box clearly marked, "shred in box".

- C. Complete form listing items to be destroyed and send to the district's Records Manager for approval.
- D. Upon approval by the district's Records Manager send to warehouse for shredding

The Records Center will periodically review student records according to the approved Retention Schedules for destruction. The Records Center will notify other district Departments that retain student records for more than one year to review those records according to the approved Retention Schedules and destroy.

### **Electronic Records**

Electronic records (including e-mail and web content) created and received by the district in the transaction of public business are public records for the purposes of RCW 40.14 and will be managed consistent with all of the laws and regulations governing the retention disclosure, destruction and archiving of public records. The district will manage electronic records according to the same provisions as paper documents as set forth in the records retention schedules. Electronic records will be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. The district will retain electronic records designated as archival in the original format along with the hardware and software required to read the data, unless the data has been successfully migrated to a new system. (The district will retain records in compliance with the General Records Retention Schedule for School Districts and Educational Service Districts in Washington State and may be found at:

[www.sos.wa.gov/archives/recordsretentionschedules.aspx](http://www.sos.wa.gov/archives/recordsretentionschedules.aspx).