

PHOENIXVILLE AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT RECORDS

ADOPTED: November 15, 2001

REVIEWED: January 20, 2011

REVISED: March 19, 2015
January 17, 2019

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 individuals' right to privacy. The purpose of this policy is to ensure that the School District will maintain educational records for students for legitimate educational purposes.</p>
<p>2. Authority SC 1305-A, 1303-A, 1402, 1409, 1532, 1533 Title 22 Sec. 4.52, 12.31, 12.32, 20 U.S.C. Sec. 1232g 34 CFR Part 99</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.</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. District staff may compile only educational records mandated by federal and state statutes and regulations, or permitted by the Board.</p> <p>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.</p> <p>The District shall maintain required records concerning adjudicated students and transfer students in accordance with school code.</p>
<p>SC 1304-A SC 1305-A</p>	

<p>SC-1307-A 42 Pa. C.S. A. Sec. 6341</p> <p>2. Definitions Title 42 Sec. 6341</p> <p>34 CFR Sec.99.3</p> <p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p> <p>34 CFR Sec. 99.3</p>	<p>Adjudicated Students- Through the juvenile probation department, the court shall report to the school principal information concerning the adjudication of an enrolled student. Such reports shall include a description of delinquent acts committed by the student, disposition of the case, probation or treatment reports, prior delinquent history, the supervision plan, and any other information deemed necessary.</p> <p>The building principal shall share this information with the student’s teacher(s) and the principal of another school to which the student may transfer.</p> <p>Required reports concerning an adjudicated student shall be maintained separately from the student’s official school record.</p> <p>Attendance - includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program.</p> <p>Directory information - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized school activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.</p> <p>Directory information does not include a student's Social Security Number(SSN), or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier displayed on a student ID card/badge or used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.</p> <p>Disclosure - permitting access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.</p>
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<p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p>	<p>Education records - records that are directly related to a student, maintained by the District or by a party acting for the District.</p> <p>The term does not include:</p> <ol style="list-style-type: none"> 1. Records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record. 2. Records created or received by the District after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student. 3. Grades on peer-graded papers before they are collected and recorded by a teacher. 4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.
<p>34 CFR Sec. 99.3, 99.5</p>	<p>Eligible student - a student who has attained eighteen (18) years of age or is attending an institution of postsecondary education. All rights accorded to, and consent required of, the parent of the student shall thereafter only be accorded to and required of the eligible student. In cases where an eligible student is dependent upon the parent as defined in the Internal Revenue Code, the District shall make the education records accessible to the parent of said student.</p>
<p>34 CFR Sec. 99.3, 99.4</p>	<p>Parent - includes a natural parent, a guardian, or an individual acting as a parent of a student in the absence of a parent/guardian. The District shall give full rights to either parent unless the District has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.</p>
<p>34 CFR Sec. 99.3</p>	<p>Personally identifiable information - includes, but is not limited to:</p> <ol style="list-style-type: none"> 1. The name of a student, the student's parents, or other family members. 2. The address of the student or student's family. 3. A personal identifier, such as the student's Social Security Number, student number, or biometric record. 4. Other indirect identifiers, such as the student's date of birth, place of birth, and

	<p>mother's maiden name.</p> <p>5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.</p> <p>6. Information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.</p> <p>Student - includes any individual who is or has been in attendance at the District and regarding whom the District maintains education records.</p> <p>Transfer Student – Upon registration and prior to admission to the School District, the parent, guardian or person having control or charge of the student shall provide a sworn statement or affirmation stating whether the student previously was or presently is suspended or expelled from any public or private school of the Commonwealth or any other state for an offense involving weapons, alcohol, or drugs; for the willful infliction of injury to another person; or for any act of violence committed on school property. The statement shall include dates of suspension or expulsion and the name of the school from which the student was suspended or expelled for these reasons. Without sworn statement, the student will not be admitted.</p> <p>Parents and guardians shall be informed that any willful false statements concerning this registration shall be a misdemeanor of the third degree.</p> <p>This registration statement shall be maintained as part of the student's disciplinary record.</p> <p>When a student transfers to this District, a certified copy of the student's disciplinary record shall be obtained from the school from which the student is transferring. This record shall be maintained as part of the student's disciplinary record and shall be available for inspection as required by law.</p> <p>The Superintendent or designee shall be responsible for developing, implementing, and monitoring the student records plan.</p> <p>All District personnel having access to student education records shall receive training in the requirements of Board policy, student records plan, and applicable federal and state laws and regulations as directed by the Superintendent.</p> <p>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>34 CFR Sec. 99.3</p>	
<p>SC 1304-A</p>	
<p>SC 1304-A</p>	
<p>SC 1305-A</p>	
<p>3. Delegation of Responsibility</p>	
<p>SC 1532 Pol. 215</p>	

Pol. 250	<p><u>Student Recruitment</u></p> <p>Procedures for disclosure of student records and personally identifiable information shall apply equally to military recruiters and postsecondary institutions and shall comply with law and Board policy.</p>
35 P.S. Sec. 450.403-A	<p><u>Missing Child Registration</u></p> <p>A missing child notation shall be placed on school records of a student under the age of eighteen (18) reported as missing to school officials by a law enforcement agency. Such notation shall be removed when the District is notified by the appropriate law enforcement agency that a missing child has been recovered.</p>
35 P.S. Sec. 450.404-A	<p>In the event the District receives a request for information from the school records of a missing child, the District shall:</p> <ol style="list-style-type: none"> 1. Attempt to obtain information on the identity of the requester. 2. Contact the appropriate law enforcement agency to coordinate a response. <p>No information in the records shall be released to the requester without first contacting the appropriate law enforcement agency.</p>
24 P.S. 1305-A	<p><u>Guidelines</u></p> <p>The District's plan for compilation, retention, disclosure and security of student records shall provide for the following:</p> <ul style="list-style-type: none"> -Informing parents/guardians and eligible students of their rights and procedures to implement those rights. -Permitting appropriate access by authorized persons and officials, describing procedures for access, and listing copying fees. -Enumerating and defining the types, locations and persons responsible for student records maintained by the District. -Establishing guidelines for disclosure of information and data in student records. -Maintaining a record of access and release of information for each student's records. -Assuring appropriate retention and security of student records. -Transferring education records and appropriate disciplinary records to other School

<p>51 P.S. 20221 et seq</p>	<p>Districts.</p> <p>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 eligible students of the following:</p> <p>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.</p> <p>2-The right to request amendment of the student’s education records that the parent/guardian or eligible student believes are inaccurate, misleading or otherwise violate the privacy rights of the student.</p> <p>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.</p> <p>4-The criteria for determining who constitutes a school official and what constitutes a legitimate education interest of the District discloses certain materials without prior consent.</p> <p>5-The right to refuse to permit the designation of any or all categories of directory information</p>
<p>51 P.S. 20221 et seq</p>	<p>6-The right to request that information not be provided to military recruiting officers.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1305-A, 1402, 1409, 1532, 1533</p> <p>Missing Children Registration – 35 P.S. Sec. 450.401-A et seq.</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.52, 12.31, 12.32, 15.9, 16.65</p> <p>Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g</p> <p>Family Educational Rights and Privacy Act, Title 34, Code of Federal Regulations – 34 CFR Part 99</p> <p>Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations –</p>

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	34 CFR Part 300 Board Policy –250
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