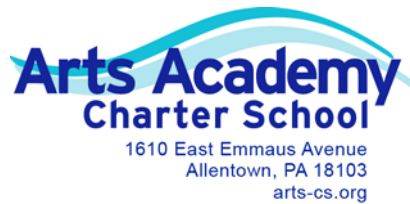


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## Board Policy 2.5.1

# STUDENT RECORDS

The educational interest 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. AACS will maintain educational records as they are defined herein for students for legitimate educational purposes.

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.

### **Definitions**

#### **Directory Information**

Directory Information: Information from a student's education record the release of which 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 a parent objects in writing.

AACS has designated the following as directory information:

1. Student's name, address, telephone listing, photograph, and e-mail address.
2. Date and place of birth.
3. Major field of study/area of arts concentration.
4. Participation in officially recognized activities and sports.
5. Weight and height of members of athletic teams.
6. Dates of attendance.
7. Degrees and awards received.
8. The most recent previous educational agency or institution attended by the student.

#### **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.

#### **Parent**

A natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

This policy shall be interpreted in accordance with and consistent with the following laws and

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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. Only educational records mandated by federal and state statutes and regulations, or permitted by the Board, may be compiled by AACS staff.

### **Authority**

This policy supplements the AACS Annual Student Records Notice. That Notice is issued annually and published at [www.arts-cs.org](http://www.arts-cs.org) (under Parents section).

### **Guidelines**

The AACS plan for compilation, retention, disclosure and security of student records shall provide for the following:

1. Informing parents/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 school.
4. Establishing guidelines for disclosure of information and data in student records.
5. Maintaining a record of access and release of information and data in student records.
6. Assuring appropriate retention and security of student records.
7. Transferring education records and appropriate disciplinary records to other schools.

### **Directory Information**

All parents and eligible students may refuse consent for the general disclosure of directory information by completing the AACS form to Request to Withhold Directory Information. AACS is required to release directory information to military recruiters. Any parent or eligible student may notify the school in writing of their refusal for this information to be released by returning the appropriate form. Questions about either form should be directed to AACS Registrar at [admissions@arts-cs.org](mailto:admissions@arts-cs.org).

### **Records on Discipline and Violent Acts**

AACS 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 school-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.

### **Test Protocols**

Psychological test protocols containing personally-identifiable information shall be destroyed within thirty (30) days of the finalization of an evaluation report. While test protocols shall be reviewed by the school psychologist with parents, as necessary, during an evaluation report review, to protect the integrity of the test, copies of test protocols shall not be made available to

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the Parents.

### **Requests for Inspection of Records**

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 all education records maintained by the school.

Parents may only review the education records in their child's own file. Parents and eligible students do not have the right to copies of educational records. However, copies may be provided at the discretion of AACS and/or upon a parent's documented claim that he/she is unable to review the records at the school due to physical disability or illness. The school may charge a fee of 10 cents per page for the copy of the educational records. Payment must be made by certified check or US postal service money order. Upon a parent's showing of financial hardship, copies may be provided free of charge.

AACS will comply with a request to review records within 45 calendar days from the date of the written request. Written requests must be submitted to the school principal. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

Third parties may accompany parents to review the records, but records will not be made available for review by a third party unless a parent is present regardless of whether the third party has obtained written parental consent.

### **Requests for Disclosure**

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, a description of the records to be disclosed, the purpose of the disclosure and the specific person to whom the records shall be released.**

### **Disclosure Made Where Prior Consent is Not Required**

Educational records may be disclosed by an authorized official of the school WITHOUT prior parental consent in accordance with FERPA including to:

- a. School officials, including teachers within the educational institution or local educational agency, who have been determined by such agency or institution to have a legitimate educational interest in the information contained within the record(s). School officials include all AACS employees, contractors and volunteers. This means that information from educational records may be shared, as the school deems appropriate, among AACS administrators, teachers, guidance counselors, nurses, support staff, coaches, intermediate unit personnel, and other employees or contractors who are working with AACS.

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- b. Officials of other schools or school systems 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. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering 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
- e. persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.
- 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 is the policy of AACS to utilize this exception to the consent requirements only where the health and safety emergency is imminent, the threat serious, and the need for information immediate.
- h. Pursuant to a subpoena or judicial order. The school will seek to contact the parents of the student to notify them of the release of information in advance of compliance.

The District may disclose group scholastic achievement data from which the individual cannot be identified.

### **Challenges to the Contents of a Student's Educational Record**

A parent or eligible student has the right to request amendment of a student's education file if it is believed that any information is inaccurate, misleading or otherwise violates the privacy rights of the student. Requests for amendment of a student's file should be directed to the AACS Registrar at [admissions@arts-cs.org](mailto:admissions@arts-cs.org).

The AACS shall decide within a reasonable period of time whether to amend the record. If the school does not amend the record as requested, it shall inform the parent or eligible student of its decision and of his or her right to a hearing to challenge that decision, upon request. Additional information regarding the hearing will be provided to the parent or eligible student when notified of the right to request a hearing.

The written decision on whether or not to amend the educational record will be provided to the parent or eligible student within a reasonable period of time after the hearing.

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If, as a result of the hearing, AACCS decides that the information is inaccurate, misleading or in violation of the privacy rights of the student, it shall (i) amend the record and (ii) inform the parent of the amendment in writing.

If, as a result of the hearing, AACCS decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school, or both.

If a complaint cannot be satisfactorily resolved by the school, a parent or eligible student may file a complaint at the following federal office: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605.

### **Destruction of Educational Records**

AACCS may destroy educational records when they are no longer needed to provide educational services to a student.

Records maintained by the school as educational records shall be maintained for five years beyond the date that the student is no longer a student in the school. Such records may be converted to electronic format.

Records that indicate core data, consisting of student's name; last known address of parents/guardians; birth date; attendance data (general, not specific); and transcripts; otherwise known as a student's cumulative file, shall be maintained for 100 years.

### **Special Education Records**

Records of special education students shall be maintained consistent with this Policy. When a special education student transfers from AACCS to another school, AACCS shall forward all of the child's educational records, including the most recent IEP, within 10 days of being notified in writing that the child is enrolled in another school.

In the event that AACCS reports a crime committed by a child with a disability, to the extent permitted by FERPA, AACCS will ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom AACCS reports the crime.

**AACCS Board approved: 12/16/2013**