

Student Records

Purpose

This procedure describes the types and content of student records, and the accessibility, maintenance, control, retention and disposition of student information and records.

Scope

This policy applies to any Valley School District staff member charged with maintaining and controlling student records.

Procedure

1. TYPES OF RECORDS

1.1. Cumulative

A student's cumulative folder may contain various information about a student which is collected and maintained on a routine basis for educational or operational purposes, such as:

- (a) Identifying information such as name, birth date, sex, year in school, address, telephone number, parent's or guardian's ("parents") name, ethnic classification, emergency information, and information about parent's place of employment, family doctor, babysitter, and siblings. Identifying information may be limited if the student is a participant in the state Address Confidentiality Program.
- (b) Attendance records, including date of entry and withdrawal.
- (c) Grades and other student progress reports.
- (d) Results of tests of school achievement, aptitude, interests, hearing and vision, health and immunization status reports.
- (e) Records of school accomplishments and participation in school activities.
- (f) Verified reports of misconduct, including a record of disciplinary action taken.
- (g) Other information as will enable staff to counsel with students and plan appropriate activities.

1.2. Supplemental

Supplementary records about a student may be collected and maintained in connection with special school concerns about the student, such as the following. All reports included in records will be dated and signed.

- (a) Confidential health information or reports connected with assessment and placement of a student who is formally identified as a "focus of concern."
- (b) Reports from non-school persons and organizations such as physicians, psychologists and clinics, except for general screening purposes.
- (c) Reports pertaining to specific problems associated with the student.
- (d) Current reports of psychological tests and progress reports related to a student's disabling condition.

1.3. Official Student Record (“Permanent” Record)

Certain information and documents may be initially combined and kept with the cumulative folder, but may be segregated from the other cumulative contents for facilitation of archiving. This permanent, official student record will be kept by the district for 100 years (“in perpetuity”) after the student graduates or withdraws.

The permanent record will include, at a minimum:

- (a) Student name, grade, and school(s) attended
- (b) Documentation of student enrollment history and grade progression
- (c) Transcripts showing academic history
- (d) Report cards
- (e) Records documenting changes to the official student record

1.4. Working Notes

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.

2. MAINTENANCE OF RECORDS

- 2.1. Each school program is responsible for the filing, safe storage and transfer of records and documents for students enrolled in its program. The district is responsible for collecting all student records from each school program and preparing the records for disposition and/or archival storage, and appropriately documenting those actions according to state and federal guidelines.
- 2.2. The principal or designee will be the custodian of the student’s cumulative folder and supplementary records.
 - 2.2.1. The duties of the custodian(s) are to:
 - (a) Maintain only those records authorized by policy and procedure.
 - (b) Safeguard student records from unauthorized use and disposition, and maintain the security of records.
 - (c) Request student records from other schools and honor records requests from other schools by copying and transferring records as prescribed by law.
 - (d) Honor requests for access to records by the parent, legal guardian or adult student (18 years or older).
 - (e) Maintain access records, when applicable.
 - (f) Delete or correct records upon approval of or order of the Superintendent (senior custodian) or the Board.
 - (g) Follow the records review schedule and procedures established by the senior custodian.

- 2.2.2. The duties of the senior custodian (Superintendent or designee) are to oversee and/or designate action on the following:
- (a) Manage security of student records.
 - (b) Transfer, destroy and expunge records as permitted.
 - (c) Supervise activities of the custodians.
 - (d) Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents or adult students.
 - (e) Establish records review schedules and procedures for their respective schools or departments in accordance with procedures governing records disposition.
 - (f) 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 any records no longer pertinent to educational program placement from the student file(s) for retention, preservation or destruction in accordance with applicable disposition procedures.
- 2.3. The district records manager will provide overall guidance to school staff of student records management and control and will communicate the student records procedures under the supervision of the Superintendent or designee.
- 2.4. The district will enable and/or use an array of methods to protect records, including passwords, physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records) and administrative procedures.

3. ACCESSIBILITY

Information contained in the cumulative folder and/or supplementary records will be provided to persons and agencies as prescribed by state and federal laws. Parents or guardians 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 Education Rights and Privacy Act (FERPA) through the student handbook(s).

3.1. Parents/Legal Guardian

Parents or legal guardians (“parent”) of dependent children have the right to inspect the cumulative folder and/or supplementary records of their children.

- 3.1.1. 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 no later than forty-five (45) days after the request is made.
- 3.1.2. Inspection and review will be conducted during normal working hours, unless the custodian (teacher, counselor, nurse, psychologist, or principal) consents to other arrangements. 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 adult student at their expense.

3.2. Student

- 3.2.1. 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.
- 3.2.2. 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.
- 3.2.3. Upon graduation from high school, a student may request to receive a final transcript in addition to the diploma.

3.3. Parent/Student Accessibility Rights Under FERPA

FERPA affords parents and students over eighteen (18) years of age (“eligible students”) certain rights with respect to the student’s education records.

- 3.3.1. The right to inspect and review the student's education records within forty-five (45) days of the day the district receives a request for access. Parents or eligible students should submit to the district records manager 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.
- 3.3.2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the district to amend a record by writing the school principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading. If the district decides not to amend the record as requested, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- 3.3.3. 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.

3.3.4. The right to consent to disclosures of personally identifiable information contained in the student's education records. Form 3231F1 will be used to obtain parent authorization for release of student information, except to the extent that FERPA authorizes disclosure without consent.

3.3.4.1. Disclosure deemed by the district as necessary to protect the health or safety of the student or other individuals.

3.3.4.2. Disclosure to school officials with legitimate educational interests and a need to review an education record in order to fulfill his or her professional responsibility. A "school official" is:

(a) 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).

(b) A person serving on the school board.

(c) 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).

(d) 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.

3.3.5. 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.

3.4. 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.

3.5. Other Districts

Other districts will be provided with student records upon official request from the district. Information about the student will be sent within two (2) school days, and copies of the student's records shall be sent as soon as possible.

3.5.1. If the student has an outstanding fee or fine, the enrolling school will be provided with the student's academic, special placement, immunization history and discipline information within two (2) school days. The official transcript will be withheld until the fee or fine is discharged, and the enrolling school district will be notified accordingly.

- 3.5.2. At the time of transfer of the records, the parent or adult student may receive a copy at his/her expense, if requested, and will have an opportunity to challenge the contents.
- 3.5.3. Parents will be advised through the student handbook that student records will be released to another school where the student has enrolled or intends to enroll.

3.6. Other Persons or Organizations

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.

- 3.6.1. 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 to be released without prior consent. Such information will not be released for commercial reasons.
 - 3.6.1.1. Directory information is defined as the student's name, photograph, address, telephone number, date and place of birth, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received and the most recent previous school attended.
 - 3.6.1.2. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information.
 - 3.6.1.3. 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 considered directory information.
- 3.6.2. 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.
- 3.6.3. 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).

- 3.6.4. Information may be released to organizations 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.
- 3.6.5. 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. In compliance with the federal Uninterrupted Scholar's Act of 2013, when a parent is a party to a court proceeding involving child abuse or neglect (as defined in Section 3 of the Child Abuse and Prevention and Treatment Act (42 U.S.C. 5101) or dependency matters, and the order is issued in the context of that proceeding, the district is not required to provide additional notice (i.e., in addition to the court's notice) to the parent prior to release of the information.
- 3.6.6. 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.
 - 3.6.6.1. 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.
 - 3.6.6.2. 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.
- 3.6.7. In compliance with the federal Uninterrupted Scholar's Act of 2013, information regarding students in foster care may be released without prior written consent of the parent or eligible student to agency caseworkers or

other representatives of state or local child welfare agencies or tribal organizations who are legally responsible for the care and protection of the student, for purposes related to the student's case plan.

- 3.6.8. A high school adult student and/or parent or legal guardian may grant authority to the district permitting prospective employers to review the student's transcript.

3.7. Confidential Health Records

Confidential health records will be stored in a secure area and are accessible only to the school nurse and designee(s), unless an appropriately executed release under RCW 70.02 has been obtained. Student health records may be reviewed by parents or guardians by request under FERPA guidelines. A higher standard of confidentiality and minor student's rights of privacy exists for certain health information, and accessibility will be provided only as allowed by state and federal law. Designated staff will consult with the school nurse prior to allowing access to or disclosure of any student health information or records.

3.8. Correction of Records

- 3.8.1. 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 request correction or deletion. Custodians (teacher, counselor, nurse, or psychologist) may honor such requests by correcting or deleting records which are misleading, inaccurate or violate privacy, provided that the senior school custodian (principal or department head) concurs.
- 3.8.2. If the requested correction or deletion is denied by the senior school custodian, the parent or adult student may request an informal hearing before the Superintendent, and such hearing will be held within ten (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 requested correction or deletion. The Superintendent will send his/her written decision to the parent or adult student within ten (10) school days of the hearing.
- 3.8.3. Upon denial of correction or deletion by the Superintendent, the parent or adult student may request in writing a hearing before the Board, and such hearing will be conducted at its next regular meeting. During the 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 requested correction or deletion. The Board will send its written decision to the parent or adult student within ten (10) school days of the hearing.

- 3.8.4. Parents or adult students challenging the appropriateness and accuracy of student records may insert a written explanation of their objections in such records.

4. DISPOSITION OF RECORDS

4.1. General

- 4.1.1. District staff will retain records in compliance with the General Records Retention Schedule for School Districts and Educational Service Districts in Washington State found at:
www.sos.wa.gov/archives/recordsretentionschedules.aspx.
- 4.1.2. The Official Student Record (“permanent” record) will serve as the record of the student’s school history and academic achievement. In all cases, the student’s permanent record will be retained in perpetuity by the district or the State Archives.
- 4.1.2.1. Information and/or documents classified as “permanent records” that are filed in the student’s cumulative folder should be separated and retained before final disposition of the student’s record(s) (before destruction of non-archival information and documents).
- 4.1.3. Cumulative folders and supplementary records (original documents) of high school students will be retained for three years after graduation or withdrawal, or according to the current Washington State records retention schedule applicable to local school districts.
- 4.1.4. All records of graduating or withdrawn students should be identified and held by the school program custodian until the end of the school year. Beginning in June, the designated district records manager will provide a content list and storage box to each school custodian for collection and removal of files to the district office for retention in the district archive.
- 4.1.5. Longer retention schedules may apply to certain types of information that may be included in cumulative or supplemental folders, such as assignment/enrollment documents, choice/transfer requests, assessments, curriculum waivers, attendance and truancy case documents, home-based instruction documents, grade-substantiating documentation, healthcare, ALE and special services. Staff will refer to the Washington State records retention schedule for guidance and manage student records accordingly.

4.2. Records Storage and Destruction

The district records manager, under the supervision of the Superintendent or designee, is responsible for maintaining and managing the district archive. He/she will collaborate with school program records custodians and other staff to maintain accurate and adequate file and document retention and storage records, and

orchestrate the destruction of all records no longer required to be retained and stored, as prescribed by law.

4.3. Cut-Off Date

“Cut-off” is a term used to indicate files or records that may be terminated on a predetermined date. Adhering to cut-off dates prevents current records from attaining unmanageable size, facilitates the filing of new records, and guides the timeline for destruction of records when retention periods are met.

- 4.3.1. Calendar year records may be “cut-off” on December 31st, and a new file established on January 1st.
- 4.3.2. All fiscal year records can be “cut-off” only upon the completion of an action or event, such as termination of contract, final payment of a contract, termination of employment, etc.
- 4.3.3. Regardless of the duration of the retention period, records series should be kept in the office files after “cut-off” only as long as is necessary to satisfy the following three factors. Once satisfied, the records should be transferred to storage for the remainder of the retention period.
 - (a) Active reference
 - (b) Audit, when required
 - (c) Other operational requirements

4.4. Transfers

- 4.4.1. When a student transfers to another school within the district, all records including the permanent student record will be transmitted to the other school.
- 4.4.2. When a student transfers to a school outside of the district, the senior custodian or designee should purge the cumulative folder of all nonofficial, extraneous information. A copy of all remaining records will be sent to the requesting school (original documents are to be retained), unless the student has an outstanding fee or fine. In such a case, records will be handled as described in section 3.5.1 of this procedure.
- 4.4.3. The cumulative folder for any student who leaves the district generally will be maintained for three years after discontinuance of enrollment in the district.
- 4.4.4. For a student transferring out of state who meets the definition of a child of a military family in transition, the district will furnish a set (copies) of unofficial educational records to the parent within ten (10) days after receiving a request.
- 4.4.5. A parent or adult student, at his/her request and expense, may receive a copy of all records to be transmitted to another district.

4.5. Special Services

- 4.5.1. In addition to a cumulative file, a Special Education student history file (supplemental file) will be created and will include psychological and IQ test results, eligibility decisions, evaluation and other reports, IEPs, correspondence and other information pertinent to the student's education history. After a student's separation from the special services program or school and/or graduation, this file will be retained for a minimum of six (6) years.
- 4.5.2. At the time a student graduates from school or ceases to need special educational services, the parent or adult student will be informed by written notice (Form 3231F2) that personally identifiable information regarding the disabling condition is no longer needed for educational purposes and that the special education records will be retained by the district for six (6) years before being destroyed pursuant to the School Districts and Educational Districts Records Retention Schedule approved in accordance with RCW 40.14.070. They also will be advised of the opportunity to take possession of the Special Education student history file or any of its contents pending future disposition by the district once retention periods are met.
- 4.5.2.1. When informing the parent or adult student about his/her rights regarding such records, the district will advise the parent or adult student that the information may be needed by the student or the parent to establish eligibility for certain adult benefits (for example, social security) and that the parent/guardian/adult student should ensure that they possess the necessary documentation, or request copies of certain records from the district BEFORE the district records are destroyed.
- 4.5.2.2. At the parent's or adult student's request, the record information relating to the disabling condition will be destroyed but ONLY after the records have met the retention requirement. The district may, in its discretion, choose to retain these records for a longer period of time for business purposes.
- 4.5.3. At the end of the retention period, the district records manager will collaborate with the District Special Services Director to identify which student files may be destroyed. Prior to disposition, a second written notice (Form 3231F3) will be provided to the parent or adult student at the last known address to alert him/her of the imminent file destruction and facilitate his/her final opportunity for taking possession of the file or any of its contents.

- 4.5.4. A record/log of notices sent to last known address of the parents or legal guardians will be created and retained for a minimum of six (6) years after last notice is sent, by the district records manager.

5. ELECTRONIC RECORDS

- 5.1. Electronic records (including email 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.
- 5.2. 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.

Supporting Documentation

3231F1-Authorization for Release of Records

3231F2-Notification of Records Retention

3231F3-Notification of Records Disposition

3231F4-Archives Records Transmittal and Box Contents List

3231F5-Archive Box Label

Document History

Action:	Date:
New	July 16, 2014
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Revised	