

## Tumwater School District No. 33

P-5600

### Administrative Procedure

5000 STUDENTS

Student Records

#### 5600 Protection of the Rights and Privacy of Parents and Students

The Tumwater School District will manage student records in the following manner.

***Student Records and Files:*** Student Records shall include any and all official records, files, and data directly related to a student including all material incorporated into a student's cumulative record holder. These records include, but are not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), attendance data, scores on standardized intelligence, aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns.

***Cumulative Records:*** Cumulative records shall be maintained for each student from his entrance into school through the twelfth grade. The cumulative record shall consist of personal and family data including certification of name and date of birth; test data, such as aptitude, interest, and achievement tests; appropriate health status reports, such as medical reports, speech and hearing evaluations; permanent record cards; and attendance records.

***Supplementary Records:*** Supplementary records should contain additional information deemed helpful toward promoting optimum student progress and usually require interpretation by the writer or an otherwise appropriate professional person, e.g., anecdotal reports, pupil questionnaires, records of conferences, copies of correspondence with parents and others concerning the child, other records which may contribute to understanding the student such as psychological and medical reports, etc. Such records may originate in a non-school agency with written consent from the student's parents.

***Health Records:*** Health records should only be accessible to the school health care provider unless an appropriate release under Chapter 70.02 has been obtained (See forms at end of procedure). Generally health care information contained in school district records can not be disclosed to anyone without the consent of a parent or a

student who is 18 years of age or older. Health care information means any information whether oral or recorded in any form or medium, that identifies or can readily be associated with the identity of a patient and directly relates to the patient's health care.

There is a higher standard of confidentiality for records pertaining to HIV, sexually transmitted diseases, drug and/or alcohol treatment, mental health treatment, family planning or abortion. Only students may authorize release of records concerning family planning or abortion. Students 13 years or older control access to drug and/or alcohol or mental health treatment records; and students 14 years or older may deny or authorize access to records regarding HIV or sexually transmitted diseases, HIV and drug and/or alcohol treatment is more restrictive than ordinary medical releases.

All disclosures will be in strict compliance with the conditions set out in RCW 70.02.050.

***Custody of Student Records:*** Custody of Student Records shall be designated to one or more school officials who will be the custodians responsible for the maintenance of student records in accordance with the provisions of this policy. The custodians will permit disclosure of information in student records only in the manner and only to the persons or entities specifically authorized herein. (See forms at end of procedure).

***Parents' Access to Records:*** Parents' Access to Records is the right to whatever the School District knows about their children. Parents of students who are or have been in attendance in the school district with written request to the administrators of the school attended by their child shall be afforded an opportunity to inspect and review the students' records. The review shall occur at the office of the custodian of the records at a mutually agreed upon time, and in no case more than 45 days after the request has been received. If records include information on more than one student, the parents of the student are entitled to review that part of the record which pertains to their child. This right extends to any natural or adoptive parent of the student, to any legal guardian of the student, and to any individual acting as a parent in the absence of a parent or guardian. Requests for information contained in the student's records shall not be honored when made by a student's relatives or immediate family members except with written consent of a parent, legal guardian, or individual acting as a parent in the absence of a parent or guardian.

If the parents believe that information in a student record is inaccurate, misleading, or in violation of the privacy or other rights of the student, the parent may request in writing a meeting with school administrators for the purpose of amending the student's record. The school administrators shall decide whether to amend the record within a reasonable time of receipt of the request. Every effort shall be made

to settle disputes informally regarding the contents of student records. If the school administrators decide not to amend the records of the student, they shall so notify the parents and advise them of the right to a hearing provided for in subsection c, hereof.

The parents of a student, upon written request, shall be given an opportunity for a hearing before the Board of Directors or a committee thereof if their request to amend the records is denied. Such hearing shall be held within a reasonable time following the receipt of the request.

If, as a result of the hearing, the information in the challenged record is found to be inaccurate, misleading, or in violation of the privacy or other rights of the student, the school administrators shall amend the records accordingly and so inform the parents in writing. If the determination made after the hearing is unsatisfactory to the parents, the parents shall have the right to insert into the challenged records a written explanation regarding the content of such records.

Upon the adoption of this policy, and thereafter on an annual basis, the School District shall take such steps as are reasonably likely to inform parents and students eighteen years of age or older of: (1) the existence of this policy and their rights hereunder; (2) the location of student records and the title and address of the custodian of such records; (3) the right to file complaints concerning alleged failures to comply with this policy; and (4) the offices at which copies of this policy may be obtained.

The right to inspect and review records shall include the right to obtain copies of the records where failure to provide such copies would effectively prevent the parents or students eighteen years of age or older from exercising the right to inspect and review. A reasonable fee, not to exceed \$ \_\_\_\_\_ per page, may be charged for providing copies of student records. The school administrators may deny a request for copies of a student record, without impairing the right to inspect and review, where they determine that providing such copies would be detrimental to educational interests.

***Student Access to Records:*** For students under eighteen years of age, information from standard records shall be communicated to students upon request. Information contained in supplementary records shall be communicated to such students when a request is accompanied by parental consent. Students under eighteen years of age shall not have the right to examine those records, data or test results for which the Board of Directors has determined direct student access may be detrimental to educational interests.

Whenever a student has attained eighteen years of age, the permission or consent required of and the rights accorded to the parents with respect to student records

shall thereafter be required of and accorded to the student, except that information from student records may be released to the parents of a student aged eighteen or older if the student is a dependent of the parents. For the purposes of this policy “dependent” shall be defined as in Sec. 152 of the Internal Revenue Code of 1954.

***Access by School Personnel:*** Access, by school personnel, to student records is only permitted to school officials having a legitimate educational interest. Teachers, administrators, and educational staff associates providing services to the student during the current year have such an interest and shall be permitted access to both standard and supplementary records. Other district and educational staff who may be involved in decision-making relating to a student shall have access to the student’s records in instances where that information would have a bearing on that staff member’s decision.

***Other School Districts and Educational Institutions:*** Other School Districts and Educational Institutions in which the student intends to enroll will be provided with a transcript of the contents of the student’s standard records upon receipt of an official request from the school district. A reasonable attempt to notify the parents of the student of the transfer of records shall be made except when such transfer is initiated by the parents.

Upon receipt of written request from the student or parents a transcript will be sent to an institution of post-secondary education in which the student seeks to enroll. The student’s parents shall be notified of the request and shall be sent a copy of the record if desired when a request is from other than the parents.

Supplementary record information, with appropriate interpretation, shall be provided to other school districts with written consent of parents or legal guardian provided the student is younger than eighteen years of age. Students eighteen years of age or older may provide their own written consent for such release of supplementary record material.

***Federal and State Agencies:*** Without written consent of parents, the school district may provide access to and release data from student records to authorized representatives of federal and state educational agencies in connection with the evaluation or audit of federally supported educational programs, or in connection with the enforcement of federal legal requirements. Except when collection of personally identifiable information is specifically authorized by federal law, such data shall be released only if the agency involved will protect the data in a manner which will not permit the personal identification of students and their parents by persons outside the agency, and if the data will be destroyed when no longer needed for such evaluation, audit, or enforcement of federal legal requirements.

**State and Local Authorities:** The school district may release data from student records to state and local officials and authorities without written consent of parents when such information is specifically required to be reported or disclosed pursuant to state statutes adopted prior to November 19, 1974.

**Accrediting and Educational Research Agencies:** The school district may release to accrediting agencies information from student records needed to perform their accrediting functions. Such information may also be released to agencies or institutions which are conducting studies for the purpose of developing predictive tests or improving instruction, provided that such studies are conducted so as not to permit personal identification of students and their parents by persons outside the agency or institution and that the information will be destroyed when no longer needed for such studies.

**Emergencies:** In connection with an emergency, information from student records may be released to appropriate persons if the knowledge of such information is necessary to protect the health and safety of a student or other persons.

**Other Non-School Agencies:** Non-school agencies or persons, such as employers, colleges, and various professionals will be provided with appropriate information contained in the standard or supplementary records, with any necessary interpretation provided by qualified school personnel, upon written request or consent of parents, legal guardians, or where applicable, the senior high school student himself (if he or she is eighteen years of age or older).

Any court order of a public officer or an administrative agency having the power of subpoena directing the release of information concerning students will be honored in accordance with legal provisions. The school district shall make a reasonable effort to notify parents and students of all such orders and subpoenas in advance of compliance therewith.

If information concerning students is requested by public officers or agencies, the request must be made in writing to the coordinator of pupil services. Unless the request is pursuant to a court order or subpoena, or is within the provisions of the sections above pertaining to other school districts or agencies, etc., the information shall be provided only if the written consent of the parent, guardian, or student (if he is eighteen years of age or older) has been given.

**Parents' Written Consent:** Whenever student records are furnished with the parents' consent, or with the student's consent if the student is eighteen years of age or older, the consent shall be in writing and specify the records to be released, the reasons for such release, and the party or class of parties to whom release is to be made. A copy of the records to be released shall be furnished to the student's parents and to the student if desired by the parents.

**Procedure for Release of Information:** All persons, agencies, or organizations (other than school personnel, identified in section pertaining to access by personnel, above) desiring access to student records shall be required to sign a written request. The request shall specifically indicate the legitimate educational or other interest that such person, agency, or organization has in seeking the information. Requests shall be kept permanently with the file of the student as a “record of access” which shall be available only to the parents, custodian of records, and authorized auditors of the record system.

Requests for access to the records of a student by the parents of such student, or by the student if eighteen years of age or older, need not be recorded.

All personal information from student records shall only be transferred by the school district to third parties on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student.

**Directory Information:** The term “directory information” relating to a student includes the following: the student’s name, address, telephone listing, date and place of birth, course of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended by the student, and other similar information designated as directory information by resolution of the Board of Directors.

Directory information may be released by a school or the school district without written consent, provided that public notice shall be given of the categories defined as directory information, and parents shall have the right, through a written request, to designate that any or all of such information be released only with prior parental consent.

**Disposition of Student Records:** If two years have elapsed since an elementary or junior high school student has withdrawn from the district schools and no official request for the student’s records has been received, the student’s permanent record card shall be filed and the remaining standard records destroyed. Supplementary records shall then also be destroyed, except in those instances where the building principal recommends that specific information be maintained on file at the district office student services department.

If no official request has been received from another school district for the records of a senior high school student by the time the class from which that student withdrew has graduated, the student’s permanent record card shall be filed and the remaining standard records destroyed. Supplementary records shall then also be

destroyed except in such isolated instances when the building principal recommends that specific information be retained on file at the district office student services department.

When a student has graduated from high school, his/her permanent record card shall be filed and maintained in a safe, fireproof place. Other residual standard and supplemental records shall be destroyed when a student has graduated or has reached his eighteenth birthday, whichever is the later date.

***Instructional Material in Experimental Programs:*** All instructional materials, including teachers' manuals, films, tapes, or other supplementary instructional materials which will be used in connection with any research or experimental program or project, shall be available for inspection by the parents or guardians of the children engaged in such program or project. Parents or guardians desiring to inspect these instructional materials shall present a written request to the administrator of the school attended by their child. The materials will be made available at the child's school at a mutually agreed upon time.

A "research or experimental program" is a program designed to explore or develop new or unproven teaching methods or techniques.