

<h1>SEVEN GENERATIONS CHARTER SCHOOL</h1>	SECTION: STUDENTS
	TITLE: 216 – ACCESS TO EDUCATION RECORDS
	ADOPTED: September 1, 2009
	REVISED: October 11, 2016, April 11, 2017

Policy	<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 individual's right to privacy. The school will maintain educational records for students for legitimate educational purposes.</p> <p>The Board recognizes a student’s right to privacy in the collection, maintenance and dissemination of records. The Board believes that student files should contain only information necessary for the effective performance of designated educational functions or as required by law. Information from student files should be released only under controlled circumstances and only when the release will benefit the student, his or her family or professional research, or when required by law.</p> <p>This policy incorporates provisions from various, relevant federal regulations (34 CFR 300.572; 300.560; 300.529), and the Family Educational Rights and Privacy Act of 1974 (34 CFR Part 99) (FERPA). The fundamental principle that no information other than directory information should be released regarding a student without the prior informed consent of the child and/or his/her parents shall be observed at all times.</p> <p>The objective of this policy is to protect the students' rights to privacy and to protect both students and their families from exploitation by commercial and organizational interests. It is also the objective of this Policy to assure that the welfare of each individual student, the maintenance of information for the effective performance of designated educational functions and compliance with applicable laws are the only criteria used in collecting, maintaining and releasing information held in student files. Additionally, it is an objective of this Policy to comply with applicable law and to identify and outline the process by which parents/guardians are notified of their rights under FERPA and the Protection of Pupil Rights Act (PPRA), and also to address specific privacy issues.</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 Every Student Succeeds Act, the Patriot Act of 2001, and the National Defense Authorization Act for Fiscal Year 2002 altered some provisions of both FERPA and the PPRA. These changes provide parents with more privacy rights regarding surveys of students, the collection of information from students for marketing purposes and some non-emergency medical examinations.</p>
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<p>Delegation of Responsibility</p>	<p>FERPA is the federal law protecting the privacy of student education records and parents’ access rights to those records. Generally, education agencies and institutions that receive federal funds cannot disclose personal identifiable information from a student’s education record without parental consent. FERPA permits certain non-confidential information to be released to outside agencies without parental/ guardian/student consent. Directory information which may be released may include the student’s name, date and place of birth; participation in officially recognized activities and sports; dates of attendance; the most recent and previous education agency or institution attended by the student; and other similar information.</p> <p>PPRA requires schools to obtain parents’ written consent before administering federally funded surveys that might reveal certain private information about the student. A school must provide to parents an annual notice of the types of student directory information that is released publicly.</p> <p>The Board shall adopt a comprehensive plan for the collection, maintenance, and dissemination of student records that complies with federal and state laws and regulations and state guidelines. Copies of the adopted student records plan shall be maintained by the school and revised as required by changes in federal and state law.</p> <p>The Board of Trustees of Seven Generations Charter School authorizes the Chief Executive Officer (CEO) or his/her designee to enforce this policy.</p> <p>The CEO or designee shall be responsible for implementing and monitoring the adopted student records plan which meets all legal requirements.</p> <p>It is the responsibility of the Administration to implement and enforce this policy, and to develop Administrative Regulations for implementation or enforcement where necessary and to collect, maintain, release and destroy information as directed by this policy. This policy shall be communicated to all school employees.</p> <p>The designated administrator shall establish safeguards to protect the student and his/her family from an invasion of privacy when collecting, retaining and disseminating student information and providing access to authorized persons.</p> <p>The staff shall compile only those educational records mandated by federal and state laws and regulations.</p> <p>In accordance with law, each 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>Guidelines</p>	<p><u>Definitions</u></p> <p><b>Category A Data</b> - These student records consist of those semi-confidential official administrative records that constitute the minimum personal data necessary for the operation of the school which includes, but is not limited to, identifying data</p>

[such as names, addresses, telephone numbers, and email addresses of students and their parent(s) and/or guardian(s)], birth date, academic work completed, level of achievement (grades, standardized achievement test scores) and attendance data.

**Category B Data** - These student records consist of those confidential records consisting of verified information of clear importance, but not absolutely necessary to the school, to help the student or protect others. Category B information includes, but is not limited to, scores on standardized intelligence and aptitude tests, interests inventory results, health data, family background information, systematically gathered counselor ratings and observations and verified reports of serious or recurrent behavior patterns.

**Category C Data** - These student records consist of confidential information which is potentially useful, but not yet verified or clearly needed beyond the immediate present. Category C data includes, but is not limited to, legal or clinical findings including certain personality test results and unevaluated reports of teachers, counselors and others which may be needed in ongoing investigations and disciplinary or counseling actions.

#### Guidelines

Under FERPA, the term education records means those records that are: (1) directly related to a student and (2) maintained by an educational agency or institution or by a party acting for the agency or institution. Education records include:

- a. Date and place of birth, parent(s) and /or guardian addresses, and where parents can be contacted in emergencies;
- b. Grades, test scores, courses taken, academic specializations and activities, and official letters regarding a student's status in school;
- c. Special education records;
- d. Disciplinary records;
- e. Medical and health records that the school creates or collects and maintains;
- f. Documentation of attendance, schools attended, courses taken, awards conferred and degrees earned; and
- g. Personally identifiable information such as a student's identification code, social security number, picture, or other information that would make it easy to identify or locate a student.

The following are not considered education records under FERPA:

- a. Personal notes made by teachers and other school officials that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not shared with others;

b. Law enforcement records created and maintained by a school's or a district's law enforcement unit specifically for law enforcement purposes (as distinct from student disciplinary and other non-law enforcement purposes);

c. Records on students 18 years of age or older that are made or maintained by a medical or other recognized professional or paraprofessional acting in his or her professional capacity, as long as the records are used only in connection with the treatment of the student and are disclosed only to treatment providers (for these purposes, "treatment" does not include activities that are part of the school's program of instruction);

d. Records created or received after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student;

e. Grades on peer-graded papers before they are collected and recorded by a teacher;

f. Directory Information that is part of a student's education record, including personal information about the student that can be made public without specific consent of the parent or eligible student. Directory information would not generally be considered harmful or an invasion of privacy if disclosed and may include:

- i. Student's name and other information typically found in school yearbooks or athletic programs;
- ii. Names and pictures of participants in various extracurricular activities or recipients of awards;
- iii. Grade level;
- iv. Pictures of students;
- v. Height and weight of athletes.

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

1. Informing parents/guardians and eligible students eighteen (18) years and older of their rights and the procedures to implement those rights annually and upon enrollment.

2. Permitting appropriate access by authorized persons and officials, describing procedures for access, and listing copying fees. (See Policy 801.1A for 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.

References	<p>5. Maintaining a record of access and release of information for each student's records.</p> <p>6. Assuring appropriate retention and security of student records.</p> <p>7. Transferring education records and appropriate disciplinary records to other school districts.</p> <p><u>Specific Retention Periods</u></p> <p>The school shall retain Student records according to the following schedule:</p> <ol style="list-style-type: none"> <li>1. Category A data should be maintained for at least 100 years.</li> <li>2. Category B data should be eliminated at periodic intervals, such as at the transition from elementary to junior high school or from junior high to high school. In any case, these records should be destroyed when the student leaves school.</li> <li>3. Category C data should be reviewed and purged at least once per year, and purged once the usefulness of the data has ended.</li> </ol> <p><u>Miscellaneous</u></p> <p>Procedures for disclosure of student records shall apply equally to military recruiters, colleges and universities, and prospective employers. The CEO shall authorize the release of names, addresses and telephone numbers of secondary students to military recruiters and to institutions of higher learning to the extent required by applicable Federal or Pennsylvania law. Parents may opt out of providing this information.</p> <p>Copies of the student records plan shall be submitted to the Department of Education, upon request of the Secretary.</p> <p>No school personnel shall furnish lists of names and addresses of students to anyone other than school officials and school-affiliated organizations without the approval of the CEO.</p> <p>School Code – 24 P.S. Sec. 1303a, 1305-A, 1306-A, 1402, 1409, 1532, 1533</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 Education Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99</p>
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