

Student Records

Board Policy: SA-2
Adopted: December 13, 1993
Revised: July 11, 2005

I. General Policy Statement

In order to provide students with appropriate instructional and educational services, it is necessary for the Haywood County School System to maintain accurate and sometimes personal information about the student and his/her family. All student records will be current and maintained with appropriate measures of security and confidentiality. The principal is responsible for meeting all legal requirements pertaining to the maintenance, review and release of records maintained at the school. The superintendent is charged with developing appropriate guidelines to provide the proper administration of student records in keeping with local, state and federal requirements. The following regulations govern the maintenance of student records.

II. Annual Notification of Rights

The superintendent or his/her designee is responsible for providing eligible students and parents with annual notification of their rights under the Family Educational Rights and Privacy Act (FERPA). This notice must contain all information required by federal law and regulations.

1. The right to inspect and review the student's educational records and the procedure for exercising this right;
2. The right to request amendment of the student's educational records that the parent or eligible student believes to be inaccurate, misleading, or in violation of the student's privacy rights, and the procedure for exercising this right;
3. The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent;
4. The type of information designated as directory information and the right to opt out of release of directory information;
5. That the school district releases records to other institutions that have requested the information in which the student seeks or intends to enroll;
6. The right to opt out of releasing the student's name, address, and phone number to military recruiters or institutions of higher education that request such information
7. A specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if the school district discloses or intends to disclose personally identifiable information to school officials without consent; and
8. The right to file complaints with the Family Policy Compliance Office in the U.S. Department of Education.

The school district does not have to individually notify parents or eligible students of their

rights, but must provide the notice in a manner reasonably likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students who are disabled or whose primary or home language is not English.

III. Content of Student Records

A. Haywood County Schools shall maintain a cumulative record for each student. The following records shall be maintained permanently.

1. Identification information, including name, sex, race, birthplace, date of birth, and identification number
2. Family data (including but not limited to address and parents/guardians)
3. Health records including immunizations
4. Attendance records
5. Scholastic records
6. Standardized test scores
7. Records of interests, activities, and honors (9-12)
8. Home Language Survey
9. Certified birth certificate
10. Other records of participation in programs including Exceptional Children, English as a Second Language, and Academically Intellectually Gifted

The following types of records will be retained during the student's school career.

11. Medicine records and emergency medical information
12. Discipline records of students expelled or suspended for more than 10 days
13. Parent/Teacher/Student Contract
14. Other records pertaining to the student to be used in educational decision-making

B. The principal of each school is responsible for maintaining the records of the students attending his/her school. If a student no longer attends a school within the Haywood County School System, a copy of the student's record shall be forwarded to the succeeding school upon request.

C. The student, parents, or guardian, or surrogate parent shall have the right to read, inspect and copy all and any records maintained by the school system. The inspection, copying or release of records shall be documented.

D. When a student reaches the age of eighteen (18) or is married, he or she shall have the right to inspect and review his or her record.

IV. Access to Student Records

A. The student, parents, guardian, or surrogate parent shall have the right to read, inspect and copy any records maintained by the school system. Student records shall be made available to school officials who have a legitimate interest in seeing the records. Privacy of student information will be maintained according to Federal and State laws. Records shall also be released when a court order* or subpoena has been issued.

B. Student records may be released to the following:

1. Officials of other schools and school systems in which the student enrolls, or intends to enroll, unless the parent (or eligible student) has declined in writing to approve the transfer of records
2. Agencies functioning in connection with a student's application for, or receipt of, financial aid with parent or student permission
3. Appropriate individuals in the event of an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals
4. The parents of a student eighteen (18) years of age or over, if the student is eligible to be claimed as a dependent on the parent's federal or state tax return

C. Directory Information

The release of directory information and other requests for student information is governed by school board policy A-8, Release of Rosters.

D. Procedures for Inspecting Student Records

1. Any person, agency, or organization requesting access to student records must make the request to the superintendent, principal or designee.
2. Persons inspecting a student record must sign a form indicating that they understand that the information contained in the record may not be divulged to any other person without the written consent of the parents (or eligible student).
3. Upon receipt of a request for inspection, the principal or designee shall arrange for the inspection and shall notify the parent or other authorized persons concerning the date, time, and place of the inspection. The meeting must be scheduled within 45 days of the receipt of the request.
4. At the appointed time, the student record shall be made available for inspection in the presence of the principal or designee.
5. Nothing within the student record may be removed or destroyed by the person obtaining access.
6. The principal or designee, if asked, shall attempt to explain and to help a parent (or eligible student) understand a record.
7. The parent (or eligible student) may obtain photocopies when failure to obtain such photocopies would effectively prevent one from reviewing a record. Photocopies will be provided at a reasonable cost upon request and will be provided at no cost in cases where such cost would prohibit one from obtaining a record. These copies will be provided as soon as possible, but no later than 45 days from the request.
8. The school shall not destroy any student record when there is an outstanding

request for inspection.

E. Procedure for Hearing

1. In the event a parent (or eligible student) contends that a student record is inaccurate, misleading, or otherwise in violation of the student's rights, the school must grant an informal hearing upon request.
2. The hearing shall be conducted within a reasonable time by the school principal or other school official appointed by the Superintendent who does not have a direct interest in the outcome of the hearing. The parent (or eligible student) shall be given reasonable advance notice of the date, place, and time of the hearing.
3. The parent (or eligible student) may present evidence relevant to the alleged inaccurate, misleading or inappropriate material and may be assisted, at his or her own expense, by any person.
4. If inaccurate, misleading or inappropriate information is found in the report, a correction or deletion may be made and the parent (or eligible student) shall be informed of any action in writing. Such changes shall be initialed by the principal. If the principal finds that a change should not be made, and if he or she is unable to resolve the complaint, the parent (or eligible student) shall be informed of his or her right to submit a written statement of the alleged inaccuracy which shall be made a part of the student's official record.

F. Students with recognized exceptionalities will be accorded all rights in regards to their records as provided by state and federal law, including the Individuals with Disabilities Improvement Act.

V. Destruction of Student Records

School officials may only destroy student records in accordance with state and federal law and the *Records Retention and Disposition Schedule for Local Education Agencies*. Upon notifying parents, student records may be destroyed when they are no longer needed to provide educational services to the student or to protect the safety of the student or others. Student records must be destroyed if the parent or eligible student requests their destruction and such records are no longer needed to provide educational services to the student or to protect the safety of the student or others. Student records may not be destroyed if there is an outstanding request to inspect the particular records.

* Administrative Order, Judge John Stone Snow, March 2, 1987.

Legal references: G.S. 115C-114, 115C-391, 115C-402; Federal Register Vol. 53, No. 69, April 11, 1988; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, -h; 34 C.F.R.pt.99; Individuals with Disabilities Improvement Act, 20 U.S.C. 1411 et. seq.