

TURKEYFOOT VALLEY AREA SCHOOL DISTRICT

216-AR-1 STUDENT RECORDS MANAGEMENT

In order to effectively implement the Student Records Policy 216 and the Records Retention Schedule, building administrators, department heads, and/or designated employees will be responsible for identifying and routing the various types of student records and data that each department creates, gathers, uses or disseminates. Requests to add, revise or delete student records will be approved and initialed by the Records Coordinator.

Requests for Student Records

The School District receives requests from various organizations from time to time for lists of student names for various reasons, including commercial and marketing purposes. Except where such disclosure is required by law, or is determined to be beneficial to students, these requests generally should be denied.

Directory Information

No Child Left Behind also requires notification that certain directory information is provided to military recruiters unless parents exercise the option to opt out. A single notice is sufficient to meet both requirements. Directory information notice requirements are not as stringent as are those for PPRA notices. PPRA notices must be “direct” mailed or otherwise provided directly to all parents.

Parents/Guardians Rights

Parents/ guardians have the right to review, inspect, or obtain a copy of student records. Records are also open to school officials who have a legitimate educational interest in a student. Parents and guardians may make a written request for copies of their child’s records at a fee not to exceed duplicating costs. If parents or guardians believe that any information is inaccurate or misleading, they may request corrective action. Parents and guardians have the right to refuse individual consent where such permission is needed for releasing certain student information. Should you feel the District is not providing these rights, you may file a complaint with the Family Policy Compliance Office (FPCO), U.S. Department of Education, 400 Maryland Ave. S.W., Washington, D.C. 20202.

If a child transfers to another school system, records will be forwarded after notification of enrollment is received from the new school.

Essential Information

Only that information about students which is considered essential in accomplishing the educational objectives of the District and in promoting the welfare of District students or which is required by applicable law shall be collected and maintained under the supervision of the professional staff. No confidential information about a student or family intended to be held in a student's permanent folder shall be included without the prior knowledge of the student, a parent or guardian.

The following material is considered essential in accomplishing the educational objectives of the District and should become part of the student's records:

- a. Teacher ratings of student's progress in the curriculum as required by law;

- b. Scores of achievement and aptitude tests (standardized and informal);
- c. Reports of assessments and evaluations by properly certified school psychologists; psychiatrists, medical personnel or social workers as authorized by the written consent of a parent, legal guardian or the student who has reached legal majority;
- d. Disciplinary records and/or other records which must be maintained by the District under applicable law.

Student records shall be maintained in a secure manner by professional personnel as designated by written administrative procedures.

Release of Information

Information may be released from student files as follows:

- a. The District may release information contained in a student's permanent record file, including Category A and B Data as defined above, to:
 - i. Parents, legal guardians, surrogate parents (as defined by the Pennsylvania Department of Education) or students, upon written request of such parent(s) or guardian(s). Upon request, the principal or his or her designee shall interpret the information in the permanent folder. If parents have been legally separated or divorced, either or both may review the records of the student who has not reached legal majority provided there is not a court decision to the contrary;
 - ii. Members of the professional staff of the school district upon signing an access sheet indicating their legitimate educational interests;
 - iii. An official of a primary or secondary school to which a student is transferring, provided that a parent, legal guardian or student who has reached legal majority receives notice of such release. The parent, legal guardian or student who has reached legal majority may request a copy of the record if desired and will have an opportunity to challenge any information contained therein;
 - iv. To an educational institution, individual, prospective employer, organization or entity upon the written request of a parent, legal guardian or student who has reached legal majority.
 - v. To comply with a judicial order or lawfully issued subpoena after notice to the parents (except where such order or subpoena specifically directs otherwise) and student and with permission of the Superintendent.

- b. Information contained in Category C may be released only in compliance with judicial orders or orders of administrative agencies where those agencies have the power of subpoena. Parents and/or students shall be notified of all such orders (except where such order or subpoena specifically directs otherwise) and of the District's compliance therewith. Category C information may also be released where otherwise required by law such as when a student's disciplinary record is forwarded to a transferring student's new school.

- c. Non-personal information may be released to governmental or private organizations without identification of the individual or individuals involved for use in professional studies when so authorized by the Superintendent and supervised by an administrator.

Annual Notification

The District shall provide to parents or eligible students an annual notification of all usual rights and notification requirements under FERPA and PPRA, including, but not limited to:

- a. Their right to inspect and review the student's education records and the procedures for exercising that right.
- b. Their right to seek amendment of the student's education records and the procedure for requesting such amendment.
- c. Their right to consent to disclosures of personally identifiable information contained in the student's education records.
- d. The types of student directory information that may be released publicly without parent/guardian consent.
- e. An explanation that the District is required to forward disciplinary records, with respect to a suspension or expulsion, to schools that have requested them and in which the student seeks or intends to enroll.
- f. Information on the release of education records to law enforcement agencies.
- g. PPRA notices shall be mailed or otherwise provided directly to all parents annually or after any substantive policy changes. This notification shall include the normal PPRA requirements and also information concerning:
 - i. Privacy rights regarding surveys of students;
 - ii. The collection of information from students for marketing purposes;
 - iii. Some non-emergency medical examinations.

This FERPA notice need only be a "single notice" provided through a mailing, student information handbook, district web site, or other method that is reasonably calculated to inform parents. This annual notification shall provide parents with information on how to opt out of providing their student's directory information to other entities, including military recruiters.

Student Surveys

With respect to student surveys:

- a. No student shall be required, as a part of any program to submit to a survey, analysis or evaluation that solicits or reveals information concerning:
 - i. Political affiliation or beliefs of the student or the student's parent;
 - ii. Mental and psychological problems of the student or the student's family;
 - iii. Sex behaviors or attitudes;
 - iv. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - v. Critical appraisals of other individuals with whom respondents have close family relationships;
 - vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers;
 - vii. Religious practices, affiliations, or beliefs of the student or the student's parent(s);

viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or an emancipated minor), or in the case of a minor, without prior written consent of the parent.

b. Parents have the right, upon request, to inspect any survey created by a third party, or which solicits or reveals information in any of the eight protected areas listed above, before the survey is administered or distributed to the student.

c. Prior written parental consent is not required to participate in surveys that do not solicit or reveal information in any of the eight protected areas listed above.

d. Parents have the right to opt their child out of ANY survey, U. S. Department of Education-funded or not, that solicits information in any of the eight protected areas listed above.

e. These requirements do not apply to surveys administered to a student in accordance with the Individuals with Disabilities Act (IDEA).

Marketing Purposes

With respect to collection of student data for marketing purposes:

a. No collection of student data for marketing purposes shall take place except for the purpose of developing, evaluating, or providing educational products or services for students or educational institutions including:

- i. College or other postsecondary education recruitment, or military recruitment;
- ii. Book clubs, magazines, and programs providing low-cost literacy products;
- iii. Curriculum and instructional materials used by elementary and secondary schools;
- iv. Tests and assessments used by schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students;
- v. The sale by students of products or services to raise funds for school- or education related activities;
- vi. Student recognition programs.

b. Parents/guardians shall have the right to inspect, upon request, any instrument used to collect such data.

Student Medical Examinations

With respect to medical examinations of students:

a. Parents may opt their child out of any non-emergency invasive physical examination or screening of minors that is:

- i. Required as a condition of attendance;
- ii. Administered by the school and scheduled by the school in advance; and
- iii. Not necessary to protect the immediate health and safety of the student, or of other students.

b. Parents shall be notified, by U. S. mail or email, the specific or approximate dates of any non-emergency, invasive physical examination or screening.

Release to Law Enforcement Agencies

With respect to release of education records to law enforcement agencies:

a. The District shall disclose personally identifiable information from students' education records to the Attorney General of the United States or his designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes.

- i. This disclosure does not require consent or knowledge of the parent or student.
- ii. School officials are not required to record an ex parte disclosure of information.
- iii. When a school produces student information in response to an ex parte order, the school shall not be liable to any person for that production.

b. The District may disclose educational records to the designee in a Federal grand jury subpoena without parental or student notification or recordation if so ordered by the court.

c. For law enforcement subpoenas, the same rules apply as to the Federal grand jury subpoenas except that the District shall have the option of requesting a copy of the good cause determination.

d. For all other subpoenas, including federal grand or law enforcement subpoenas in which the court does not specifically order nondisclosure, prior to disclosing personally identifiable information from a student's education record, the District shall make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek protective action.

Adopted 10/11/2017