

## **STUDENTS**

### **Student Records**

Student records will be managed by the District records custodians in the following manner:

#### **Types of Records**

Student records will be divided into two categories:

***Cumulative Folder*** – The cumulative folder may contain all information about a student which is collected and maintained on a routine basis, such as identifying information (name, birth date, sex, year in school, address, telephone number, parent's name, ethnic classification, emergency information (parent's place of employment, family doctor, babysitter, siblings), attendance records including date of entry and withdrawal; grades and other student progress reports; results of tests of school achievement, aptitude, interests, hearing and vision; health and immunization status reports; records of school accomplishments and participation in school activities; verified reports of misconduct, including a record of disciplinary action taken; and such other information as shall enable staff to counsel with students and plan appropriate activities. Identifying information may be limited if the student is a participant in the state Address Confidentiality Program.

***Supplementary Records*** – Supplementary records about a student may be collected and maintained i by the District. These may include confidential health information; information related to the assessment or identification of a student under the individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act; special education records; or other confidential records related to a student that are not maintained in a student's cumulative folder. Records created by a staff member that are kept in the sole possession of that staff member, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for that staff member are not considered student records.

#### **Accessibility of Student Records**

Information contained in the cumulative folder and/or supplementary records will be provided as follows:

1. **Parents** – Parents have the right to inspect and review their child's educational records.
  - a. The District will comply with a request for access to records within a reasonable period of time, but not more than 45 days after it received the request.
  - b. Parents may request to examine their student's records with professionally competent personnel who are able to interpret and assist in the analysis of the records.

- c. If a student's education records contain information about other students, the parent or adult student may only inspect and review or be informed of the specific information about their child or themselves.
  - d. Inspection and review will be conducted during normal working hours. If this effectively prevents a parent or adult student from inspecting and reviewing the student's education record, the District will: 1) provide the parent or adult student with a copy of the records requested; or (2) make other arrangements for the parent or adult student to inspect and review requested records. Although records must remain within District control, they may be copied or reproduced for the parent/guardian or adult student at the parent/guardian or adult student's own expense.
2. **Students** – 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. An adult student may inspect his/her cumulative folder and supplementary records. The right of access granted to 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. Upon graduation from high school, a student may request to receive a final transcript in addition to the diploma.

The District will annually notify parents of students currently in attendance and students over 18 years of age ("adult students") currently in attendance of their other rights under the Family Education Rights and Privacy Act (FERPA) and its implementing regulations. The notice will inform parents and adult students that they have the right to:

- Inspect and review the student's education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the District records custodian at the student's school a written request that identifies the record(s) they wish to inspect. The records custodian at the student's school will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- Request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights. Parents or eligible students should submit a written request to the school principal that clearly identifies the part of the record they want changed, and specifies why it is inaccurate, or misleading or in violation of the student's privacy rights. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and its implementing regulations authorizes disclosure without consent. The District may disclose information in education

records without consent to school officials, including teachers, who the District has determined to have legitimate educational interests. A school official is 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); a person serving on the School Board; a contractor, consultant, volunteer, or other party to whom the District has outsourced District services or functions (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or 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. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- File a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue S.W.  
Washington, D.C. 20202-4605

3. **Other Districts** - Other Districts will be provided with records upon official request from the District, unless the student has an outstanding fee or fine, not limited to lunch balances, class fees or field trip fees. In those instances, only records pertaining to the student's academic, special placement, immunization history, and discipline records will be communicated to the enrolling District within two (2) school days and copies of the records will be sent as soon as possible; but the official transcript will be withheld until the fee or fine, including lunch balances, class fees and field trip fees is discharged. The enrolling School District will be notified that the transcript is being withheld due to an outstanding fee or fine. However, the District will transmit information about the student's academic performance, special placement, immunization records, records of disciplinary actions, and history of violent behavior or behaviors listed in RCW 13.04.155. At the time of transfer of the records, the parent or adult student may receive a copy of the records at his/her expense if requested and will have an opportunity to challenge the contents of the records. Parents will be advised through the annual Student/Parent Rights and Responsibilities Handbook that student records will be released to another school where the student has enrolled or intends to enroll.

The records of a student who meets the definition of a child of a military family in transition under Article II of RCW 28A7.5.010 will be sent within ten days of receiving the request. Upon request the District will furnish a set of unofficial educational records to the parent/guardian of a student who is transferring out of state and who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010. The District may charge the parent/guardian the actual cost of providing the copies of records.

If a special education student is enrolled or is going to enroll in a private school that is not located in the District, parental consent must be obtained before any personally identifiable information about the student is released between the School District where the private school is located and the District, unless the parent is part-time enrolling the student in the District pursuant to chapter 392-134 WAC.

4. **Other Persons and Organizations** - Prospective employers may request to review the transcript of a student. Each student will be advised at least annually that such request will be honored only upon a signed release of the student. Information contained in the cumulative folder and supplementary records of the 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 (Form 3231F1 or Form 3231F2, Consent to Release Educational, Psychological, and Medical Records), with the following exceptions:
  - a. Directory information may be released at the discretion of the District without parental 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. Directory information is defined as the student's name, photograph, address (physical and e-mail), telephone number (home and cell), 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. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information. 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.
  - b. Notwithstanding its authority to disclose directory information without consent, the District may elect not to disclose such information in instances where disclosure may compromise the health or safety of students or may lead to a disruption of the educational environment or orderly operation of the District, or in similar circumstances.
  - c. In instances where directory information is disclosed, such disclosure does not reflect the District's approval or endorsement of the activities or viewpoints of the recipient for such information.
  - d. 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.

- e. 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).
- f. 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 organizations and if such information will be destroyed when no longer needed for the purpose for which it has been gathered.
- g. Information may be released in compliance with a judicial order or lawfully issued subpoena, upon condition that a reasonable effort was made to notify the parent or adult student in advance of such compliance.
- h. 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. 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. 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. Written documentation will be made of any such release of information and placed in the student's cumulative folder. Such access will include date of access, name of the party granted access, the legitimate educational interest of the party granted access.
- i. If the Department of Social and Health Services (DSHS) request records of a child within its custody or the custody of a child-placing agency licensed by DSHS, the records will not be withheld for non-payment of school fees or any other reason.

### **Confidential Health Records**

All health records should be stored in a secure area accessible only to the school health care provider or other staff who require access to the records to perform their job duties. Health records will only be disclosed in accordance with Chapter 70.02 RCW unless an appropriately executed release under Ch. 70.02 has been obtained. Such records are also covered by the Family Education Rights and Privacy Act (FERPA). There are additional confidentiality and disclosure requirements for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment may be more restrictive than other medical releases.

### **Challenges and Hearings**

A parent or adult student who believes that the student's education records contain information that is inaccurate, misleading, or in violation of the student's privacy rights may request that the District amend the records. The request should be submitted to the Principal

of the student's school. The Principal or designee will decide whether to amend the records as requested within a reasonable time after receiving the request.

If the Principal or designee decides not to amend the records as requested, the parent or adult student may request an informal hearing before the Superintendent or designee. The hearing will be held within ten (10) school days of the receipt of such request, unless otherwise agreed by the District and parent or adult student. During the hearing the Superintendent or designee will review the facts as presented by the parent or adult student and the Principal or designee will decide whether or not to amend the records as requested. The Superintendent or designee will send his/her written decision to the parent or adult student within ten (10) school days of the hearing.

Upon denial of correction or deletion by the Superintendent, the parent or adult student may request in writing a hearing before the Board, which hearing will be conducted at its next regular meeting. During such hearing, which will be closed to the public, the Board will review the facts as presented by the parent or adult student and Principal or designee and decide whether or not to order the demanded correction or deletion. The Board will send its written decision to the parent or adult student within ten (10) school days of the hearing.

If, as a result of the hearing, the District decides the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parents or adult students may place a written statement in the record commenting on the contested information in the records or stating why he or she disagrees with the District's decision, or both.

### **Maintenance and Disposition of Student Records**

The District will maintain and dispose of education records in compliance with the Local Government Common Records Retention Schedule (CORE) and the School Districts and Educational Service Districts Records Retention Schedule, and relevant state and federal law. The student's permanent records card will be retained in perpetuity by the District.

The permanent student record will serve as the record of the student's school history and academic achievement. Permanent records filed in the student's cumulative folder are to be extracted and retained before disposition of the folder.

When a student transfers to another school in the District, all records including the permanent student record will be transmitted to the other school. When a student transfers to a school outside the District, the custodian of records will purge the cumulative folder of all non-official, extraneous information. The cumulative folder for an elementary or middle school student who leaves the District will be maintained for two (2) after discontinuance of enrollment in the District.

The District will inform parents of students with disabilities under the individuals with Disabilities Education Act (IDEA) and adult students with disabilities when personally identifiable information collected, maintained, or used in compliance with the IDEA and related

Washington law is no longer needed to provide educational services to the student, or is no longer required to be retained under state or federal law. The information will thereafter be destroyed at the request of the parent or adult student. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

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