

Centre Learning Community Charter School

SECTION: PUPILS
TITLE: STUDENT RECORDS
ADOPTED: February 21, 2007
REVISED:

207. STUDENT RECORDS

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. Centre Learning Community Charter School will maintain educational records for students for legitimate educational purposes.

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.

The Board shall adopt a comprehensive plan for all aspects of student records that conforms to the mandates of the Family Educational Rights and Privacy Act (FERPA) and its regulations; the "Guidelines for the Collection, Maintenance, and Dissemination of Student Records"; and the "Standards for Special Education". Only educational records mandated by federal and State statutes and regulations or permitted by the Board may be compiled by Centre Learning Community Charter School staff.

Parents/guardians shall be notified annually and upon initial enrollment of their rights concerning student records. The notice shall be modified to accommodate the needs of the disabled or those whose dominant language is other than English.

The Staff or designee shall be responsible for developing and implementing a comprehensive plan approved by the Board that meets the requirements of all State and federal statutes and regulations.

Safeguards shall be established by the administration to protect the student and his/her family from an invasion of privacy when collecting, retaining and disseminating information and providing access to authorized persons.

In accordance with law, each Centre Learning Community Charter School teacher shall prepare and maintain a record of the work and progress of each student, and a recommendation for promotion and retention.

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The Centre Learning Community Charter School's plan for compilation, retention, disclosure and security of student records shall provide for the following:

1. Annually informing parents/guardians and eligible students of their rights and procedures to implement such rights.
2. Permitting appropriate access by authorized persons and officials; describing procedures for access and listing copying fees.
3. Enumerating and defining the types, locations and persons responsible for student records maintained by the Centre Learning Community Charter School.
4. Establishing guidelines for disclosure of information and data in student records.
5. Maintaining a record of access and release of information for each student's records.
6. Assuring appropriate retention and security of student records.
7. Transferring education records and appropriate disciplinary records to other Schools.

The annual notice of rights shall inform parents/guardians and eligible students of the following:

1. The right to inspect and review the student's education record within thirty (30) days of the Centre Learning Community Charter School's receipt of the request for access.
2. The right to request amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate, misleading or otherwise violates the privacy rights of the student.
3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA and State laws authorize disclosure without consent.
4. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if the Centre Learning Community Charter School discloses certain materials without prior consent.

5. The right to refuse to permit the designation of any or all of the categories of directory information.

**STUDENT RECORDS
NOTIFICATION OF RIGHTS
PARENTS/ELIGIBLE STUDENTS**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School 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.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School 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 person or company with whom the School has contracted to perform a special task (such as an attorney, 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.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education 600
Independence Avenue, SW
Washington DC 20202-4605

(5) The right to refuse to permit the designation of any or all of the categories of directory information. The Centre Learning Community Charter School is permitted by law to disclose directory information without written consent of the parent or eligible student. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if a written refusal is forwarded to the school secretary by the beginning of the current school term.

Directory information which may be released may include the student's name, date and place of birth; major field 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 and previous education agency or institution attended by the student; email address; photograph and other similar information.

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

• *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

• *Receive notice and an opportunity to opt a student out of* –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

• *Inspect*, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law. **Centre Learning Community Charter School will/has develop and adopt** policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. **Centre Learning Community Charter School** will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. **Centre Learning Community Charter School** will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. **Centre Learning Community Charter School** will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part

by ED.

- Any non-emergency, invasive physical examination or screening as described above.

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Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901