

STUDENT RECORDS

JRA-R

Records

1. In order to provide information necessary to the proper placement and instruction of students, the Seaford School District will provide for the preparation and maintenance of recordkeeping systems which will document the academic and social development as well as the health status of students. In addition to personal records kept by individual staff for their own assessment of individual student progress, additional student records will be maintained at each school.
2. The following education records will be maintained for every student in the district:
 - a. A cumulative record, which can include student identifying data, academic performance samples, academic work completed, attendance data, grades, scores on group or individualized intelligence, achievement, aptitude, psychological interest inventory tests, health data, family background information (custodial information), teacher, counselor, or other school personnel ratings and observations, discipline history, and verified reports of serious or recurrent behavior patterns;
 - b. A school health record and emergency treatment data;
 - c. A record of persons requesting disclosure of the education record;
 - d. Transportation data;
 - e. Correspondence with and records from social service agencies;
 - f. Information on disability, skills, or talents; and
 - g. Special/supplemental program participation records.
3. These records will include but will not be limited to handwritten, typed, and electronically produced documents.
4. The term "student records" is not applicable to "directory information" relating to a student. Directory information is generally defined at 20 U.S.C. §1232g(a) (5) (A) and includes the student's:
 - a. Name
 - b. Address
 - c. Telephone listing
 - d. Date and place of birth
 - e. Major field of study
 - f. Participation in officially recognized activities and sports
 - g. Weight and height (if a member of an athletic team)
 - h. Dates of attendance
 - i. Degrees and awards received
 - j. Most recently attended educational agency or institution
5. Education records for students with disabilities will also include a separate file with documents related to the identification, evaluation, placement, and provision of a free appropriate public education for each student with disabilities.

Directory information may be made public provided prior public notice is given and a reasonable period of time has been allowed after such notice for a parent/guardian to inform the Superintendent or school principal that the directory information designated is not to be released without the parent's or guardian's prior consent, or the consent of the student if eighteen years or older.

Maintenance of Student Records

1. Student records will be in the custody of school principals or their designees, and the district will ensure that educational records are maintained for every student attending his/her school.
2. Information resulting from hearings under §99.21 of federal regulations and records of disclosures under §99.32 of federal regulations will be maintained as long as a record exists.
3. Student records not controlled by federal and state law and regulations may be destroyed in accordance with district procedures when there is no outstanding request for access or photocopies thereof.

Access to and Release of Student Records

1. The following shall have access to student records:
 - a. The respective parents or guardians
 - b. The individual student, provided that he/she is eighteen years or older
 - c. Officials, including teachers, of the student's current school who have legitimate educational interests
 - d. Officials of other schools or school systems in which the student seeks or intends to enroll, provided that the student's parents/guardians are notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the records
 - e. Authorized representatives of (1) the Comptroller General of the United States, (2) the U.S. Secretary of Education, (3) an administrative head of an educational agency, or (4) Delaware Department of Education
 - f. Officials of schools or other agencies to which a student applies for financial aid
 - g. State and local officials or authorities to whom information contained in student records is specifically required to be reported or disclosed pursuant to state statute adopted prior to 19 November 1974
 - h. Officials of organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction (if such studies are conducted so as to not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted)
 - i. Accrediting organizations in order to carry out their accrediting functions
 - j. Parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1954
 - k. Appropriate persons in connection with an emergency to protect the health or safety of the student or other persons
 - l. Judicial or police officials in compliance with a judicial order, or pursuant to any lawfully issued subpoena, upon condition that parents/guardians and the student are notified of all such orders or subpoenas in advance of compliance
2. No other person, official, agency, or institution shall have access to student records without the prior written consent of the parents/guardians, or the student if eighteen years or older. Such written consent shall be given on the Student Records Release Form (JRA-E-1).
3. Access shall be granted within five school workdays after written request made on the Student Records Release Form (JRA-E-1) is received.
4. Access shall be granted only in the presence of the principal or his designee.
5. No original student records shall be released other than through the subpoena process.

Record of Access

1. The district shall maintain a record, kept with each student's records, which will indicate all parties who have requested or obtained access to a student's records and which will indicate specifically the legitimate interest that each such party has in obtaining this information. This record shall document access by parents/guardians, or students if eighteen years or older.
2. Such record of access shall be available only to persons, officials, agencies, or institutions that are permitted access to student records as noted in "Access to and Release of Student Records" above as required by federal law.

Correction Procedures

1. Parents/guardians, or students if eighteen years or older, shall have the right to challenge the content of the student's records in order to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students.
2. School officials shall provide parents/guardians, or students if eighteen years or older, an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein and to insert into such records a written explanation of the parents/guardians, or students if eighteen years or older, respecting the content of such records.

3. Parents/guardians, or students if eighteen years or older, shall also have an opportunity for a hearing if they are not satisfied with the correction/deletion. The hearing shall be in accordance with the following procedures:
 - a. If a parent/guardian, or student if eighteen years or older, requests a change in or deletion of a record or records from the student's file which is denied by the principal or his/her designee, the parent/guardian or student shall have five school workdays after receipt of the administrator's decision in which to request a hearing challenging that decision.
 - b. The school principal shall schedule a hearing on the matter not later than ten school workdays after receiving a request for a hearing.
 - c. If a designee of the principal made the decision which is being challenged, the principal shall serve as the hearing officer. If the principal made the challenged decision, the request for hearing shall be forwarded promptly to the Superintendent, who shall name another hearing officer within the time allotted.
 - d. The parent/guardian or student shall have the opportunity to present their own case or to be accompanied by a representative of their choosing. A final written decision will be rendered by the hearing officer within five school workdays. If a parent/guardian or student is aggrieved by the decision of the hearing officer, he or she may appeal to the Superintendent, who will conduct a review of the record and affirm, reverse, or modify the decision of the hearing officer. The decision of the Superintendent shall be final.

Information to Parents/Guardians and Students Regarding Their Rights

The parents/guardians of students, or students if eighteen years or older, shall be informed of the rights accorded them by the law as interpreted in this regulation.

EFFECTIVE: 10/17/88

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