

## STUDENTS

### Student Records

#### RECORDS, RIGHTS DEFINED

The Kennewick Schools shall maintain current, clear and accurate records for all students in attendance. Uniform procedures shall govern the collection, maintenance, storage, examination, transmittal, and destruction of all student records and any information included therein.

Only information deemed necessary to the welfare of students and the orderly operation of schools, or that information required by law and regulation, shall be included in the student's official school record. Student records are the property of the school district; however, they will be available for inspection and review of a student or his/her parent in an orderly and timely manner and in accordance with policy regulations. Public Law 93-380, the "Family Educational Rights and Privacy Act of 1974," requires that a school district adopt guidelines concerning the right of parents of students who attend school in the district to inspect their children's records, and guidelines concerning the release of student records to third parties.

#### Definition of "Educational Records"

"Educational Records" shall include those records, files, documents and other materials which contain information directly related to a student that are maintained by the district except the following:

1. Records, files, documents and other materials in the sole possession of the maker thereof and which are not accessible or revealed to any other persons except a substitute.
2. Records of a student who is eighteen (18) years of age or older which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional or paraprofessional capacity, or assisting in that capacity which are created, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment; provided, however, that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.
3. Working notes of staff are defined as records about students which are maintained in the sole possession of the writer and are not accessible or revealed to any other person except a substitute for that staff member. Working notes are not considered student records for the purposes of these rules and regulations.

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4. Types of Records - Student records shall be divided into three categories: 1) cumulative records, 2) administrative confidential records, and 3) disciplinary records.

A. Cumulative Records

The cumulative records folder shall contain the student permanent record card(s) (transcript), which has the following information:

1. Student's legal name
2. Any other name by which the student is/has been known
3. Sex
4. Date of birth
5. Student's address (last known while in school or school system)
6. Names of parents/guardians/custodians
7. Date of entry or admission into school or school system
8. Name of school or institution from which the student was received
9. Courses with applicable marks and/or reports (high school only)
10. Progress data, GPA for completion (high school only)
11. Date of withdrawal
12. Transfers - where transferred
13. Racial or ethnic origin
14. Social Security number (optional)
15. Standardized test results

Other reports of continuous and current significant concrete information of the student's developmental progress during enrollment in school shall generally consist of the following categories of information:

1. Registration form
2. Family background and resident, including surrogate parents
3. Physical, health (including immunization records), sensory and related conditions)

Medication Request Form  
Head Injury Report Form  
Certificate of Immunization Status  
Health History Form

(These records may be maintained in a folder separate from the cumulative folder - by class - during the school year for efficiency of

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operation, but must be returned to the cumulative folder if the child withdraws or transfers).

4. Psychological, and proficiency test results
5. Enrollment and attendance - request to transfer from attendance area school
6. Performance - elementary reading card; report cards
7. Record of Access Sheet - documentation of various parties requesting information

This record shall be kept current on an annual basis.

B. Student Administrative (Confidential) Records

Student Administrative Records shall be collected and maintained in connection with special school concerns about the student and are **confidential**, in that public access to such records is restricted to parents/guardians/custodians and the student in question. These records may include special education, handicapped, and gifted student services information. Confidential records may also include confidential reports or anecdotal information from the records of cooperating agencies and individuals such as child welfare agencies (CPS), hospitals, juvenile courts, consulting psychologists, other private practitioners, correction officers or agencies, etc.

These records may also contain reports written by student services workers or other authorized school personnel for the express use of other professionals within the district. They may include teacher or counselor observations, suspected child abuse reports, verified reports of serious or recurrent behavioral problems and selected health data used to assess student for placement in special programs.

C. Disciplinary Records

Discipline records are reports of incidents prepared by school principals/counselors. The records may include a description of the violation in terms of the schools' Student Responsibilities and Rights code, date, and the nature of the disciplinary action involved. Suspension, expulsion, or court referral information may also be included in this record. These records will be part of the cumulative or administrative records until two years after the student graduates or withdraws.

### Rights of Eighteen (18) Year Old Students

When a student has attained eighteen (18) years of age the permission or consent required of, and the rights accorded to, the parents of the student shall thereafter only be required of and accorded to the student, provided however, the parents of a student eighteen (18) years of age or older have the privilege of full access to the student's records so long as the student is dependent upon the parents for support as defined in Internal Revenue Services Regulations.

### ACCESS DEFINED

#### Parent Access to Student Records

The parents and legal guardians of students who are enrolled in the district have the right to inspect and review the "educational records" of their children subject to the limitations contained in these policies.

#### Access Rights of Non-Custodial Parents

Non-custodial parents have a right to access of their children's school records, unless the right has been removed by a court order.

#### Student Access to His/Her Records

Unless the parent requests otherwise in writing to the principal, a student may review his/her own educational record at reasonable times during school hours with the guidance of the principal, counselor, or authorized teacher.

#### Third Parties Access to Student Records

The school will not provide information contained in educational records from which a student can be identified without the written consent of the parent of such student or the student if over eighteen (18) years of age. This policy shall not apply to records required for reports of child abuse or neglect as mandated by RCW 26,44.010 through RCW 26.44.080.

### HEARING AND REVIEW DEFINED

#### Parent's Right to Question Records

A parent of a student who objects to the accuracy or truthfulness of any information contained in their child's educational records may submit to the individual or office in charge of the questioned record a written statement expressing his/her view regarding the

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record to which objection has been made. This statement shall be filed with the student's records.

Review of Educational Records

1. The district reserves the right to have a professional staff member present when educational records are reviewed. The staff member shall comment upon and present various information when necessary to give a parent complete understanding of the material in the student's file.
2. The time and place of review shall be agreed upon in advance by the person requesting the review and by the professional staff member responsible for the security of the records. The review will be conducted within five (5) days.
3. When requested records or data include information on more than one student, the parents shall be entitled to receive or be informed only of that part of the record or data that pertains to that parent's child.
4. Papers of information concerning a student may be destroyed in accordance with the district's routine retention schedule. However, in no case will any record which is requested by a parent for review be removed prior to providing the parent access for review.
5. A parent may obtain a copy of an educational record to which access is provided hereunder by paying the custodian of the record ten cents (\$.10) per page.
6. The district will maintain a list of all third parties who are not personnel of the district who review a student's records along with the reason for review. This list will be maintained with the student's records and shall be reviewed as an educational record.

Parent(s) Right to a Hearing

In cases where a parent(s) of a student disagrees with the accuracy of a record or the content of material in a folder or file, he/she may challenge that records requesting that the information be corrected, revised or discarded. In cases where the parent(s) and the individual or office having custody of the records are unable to reach an agreement after at least two (2) meetings, the parent(s) may appeal the decision of the individual or officer to the superintendent.

The superintendent, or the superintendent's designee, shall grant the parent(s) hearing within five (5) days of such a request at which the parties may be represented by counsel and at

which the parent(s) and student will be given a full and fair opportunity to present evidence. After the hearing, the superintendent, or the superintendent's designee, shall decide what action should be taken regarding the record in question and shall notify the parent(s) in writing of the decision within five (5) working days. The superintendent, or the superintendent's designee's, decision on the record in question shall be final. If there is still disagreement, the findings of the hearing shall also be attached to the student's records along with the parent(s)' statement of objection.

#### RELEASE AND DISPOSITION DEFINED

##### Release of Student Records to Individuals Outside the School District

Educational records may be released without the consent of the parent or student as provided in this section.

1. To a court or legislative body pursuant to a valid judicial or legislative subpoena. A letter notifying the parent(s) of a student concerning which a subpoena has been received shall be sent to the parent(s)' last known address before compliance with the subpoena.
2. To accrediting organizations in order to carry out their accrediting function.
3. To officials of other schools or school systems in which the student seeks or intends to enroll upon condition that the student's parent(s) be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing as provided in Section 5 to challenge the content of the record. (FERPA, 20 U.S.C., Sec. 1230, 1232 [G]-[1]).
4. To appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.
5. To appropriate state and federal personnel for the evaluation and auditing of various state and federal programs.
6. To 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 in such a manner as will 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.

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7. Unless the parent(s) requests otherwise in writing to the office of the school principal, school personnel may respond to an individual inquiry about a specific student in regard to name, address, telephone number, date and place of birth, participating in officially recognized activities and athletic teams, dates of attendance, degrees and awards received, and the most recent school attended by the student if the request appears to be in the best interests of the student and the person making the request has been properly identified.

Release of Student Names and Addresses

Administrators have the discretion to release directly information if deemed in the best interest of the student.

Release of Student Records to Personnel of the District

School officials, including teachers within the Kennewick School District, may obtain the following kinds of information when it is required for a legitimate educational interest within the performance of their responsibilities to the Kennewick School District with the understanding that its use will be strictly limited to the performance of those responsibilities:

1. Academic records and status.
2. Reports of academic progress and other misconduct reports, including disciplinary action.
3. Results of counseling other than professional, medical, or psychological evaluations.
4. National origin and ethnic background.
5. Standard test data regarding specific tests when needed for decisions about an individual.
6. Student-produced course paper.
7. Student evaluative material, with the consent of the author of the evaluation.

Condition for Release of Records to Third Parties

Educational records from which a student may be identified will only be release to a third party on the condition that such party shall not permit any other party to have access to such information without the written consent of the parent(s) of the student. **The district shall**

**give a copy of this section to every third party who receives such information.**

Recommendations for Admission to School, Employment and Honors

A student or parent(s) may waive his/her rights of access to confidential recommendations respecting admission to any educational agency or institution, respecting an application for employment, or respecting a receipt of an honor or honorary recognition provided:

1. The student or parent(s) signs a written waiver waiving the right to access to any such recommendation.
2. The student is notified of the names of all persons making confidential recommendations, if he/she requests this information.
3. Such recommendations are used solely for the purpose for which they were specifically intended.

Disposition of Student Records

The student's educational record shall serve as the record of the student's school history and academic achievement. The permanent record card(s) (transcript) filed in the student's cumulative folder is to be extracted and retained before disposition of the folder.

When a student transfers to another school, the records custodian shall purge the cumulative folder of all non-official, extraneous information.

For students receiving special education at the time a student graduates from school, or ceases to need special educational services, the parent/guardian/custodian or adult student shall be informed that record information regarding the handicapping condition is no longer needed. In informing the parent/guardian/custodian or adult student about his/her rights regarding such records, the district shall advise the parent/guardian/custodian or adult student that the information may be needed by the student or the parent/guardian/custodian to establish eligibility for certain adult benefits, e.g., social security. At the parent's/guardian's/custodian's or adult student's request, the record information relating to the handicapping condition shall be destroyed.

A parent/guardian/custodian or adult student, at his/her expense, may receive a copy of all records to be transmitted to another district.

The records custodian shall follow Administrative Regulation No. 3600 when transmitting, retaining, or disposing of student records.



OTHER

Authority of Parent to Give Consent

1. Except as otherwise provided in this section, any parent of a student may give a written parental consent required by these regulations.
2. When parents are separated or divorced, a written parental consent required under this part may be obtained from either parent unless it is contrary to any agreement between such parents or court order governing the rights of such parents of which the district has knowledge.
3. In the case of a student whose legal guardian is an institution, a party independent of the institution shall be appointed pursuant to state and local law to give a written parental consent required by these regulations.

Notice of Rights Given Under Family Educational Rights and Privacy Act of 1974

The superintendent shall be responsible for notifying the district's personnel of the rights and responsibilities accorded by the Family Educational Rights and Privacy Act of 1974 and shall be responsible for preparing and distributing a list of the educational records maintained by the district together with where these records may be obtained. It shall then be the responsibility of each building principal to inform the parents of children attending his/her school of the parents' rights under this Act and these regulations at least once each year.

Legal References:	CFR 45, Part 99	Family Education Rights and Privacy Act
	<a href="#">RCW 28A.230.180</a>	Access for Military Recruiters
	<a href="#">RCW 28A.635.060</a>	Defacing or Injuring School Property -
	<a href="#">WAC 392-500-025</a>	Liability of Parent/Guardian/Custodian
	Section 438	Pupil Tests and Records - Pupil Personnel
	WAC 248-100-166	Records
	WAC 392-171-586	General Education Provisions Act (as
		amended December 31, 1974)
		Immunization
		Definition of Educational Needs

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