

<b>Policy Title:</b>	<b>Policy No.</b>	<b>No. of Pages</b>
<b>STUDENT RECORDS AND INFORMATION</b>	STU02	4
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- I. **PURPOSE:** To establish a policy concerning the protection of student records and student information.

Note: The term "parent" as used in this regulation means a parent, guardian or person having legal custody of a child. The rights of a parent as set forth in this policy shall be transferred to the student who has attained eighteen years of age.

- I. **POLICY:**

1. The Principal is responsible for overall management of student records in the respective schools.
2. Names on student records shall be the legal names of students. When a parent requests a name change for a student, the Principal shall determine the legality (adoption or court approved) of such a request before effecting changes on records.
3. Student education records maintained by the schools include, but are not limited to:
  - a. Academic/Cumulative Records: Contains history of a student's progress during his/her enrollment in school. This record includes:
    - i. Basic identifying data.
    - ii. Report cards, academic history, and transcript (High School) from last school.
    - iii. Standardized test results.
    - iv. Attendance Information
    - v. Health Information
    - vi. Discipline Information
  - b. Psychological and medical records may include information from sources outside the school, which the parent has released to the school.
  - c. Law enforcement records from outside law enforcement agencies are not to be maintained in the record.
  - d. English learner language records.
  - e. Special education records and Section 504 records.
  - f. Extracurricular activity records.

4. All education records shall be maintained in a safe, secure area.
5. A parent shall have access, during school business hours, to their child's education record by making a written request to the principal of the school in which their child is enrolled.
6. The school principal or associate principal, upon receipt of a written request for access to records, shall comply with a request promptly and before any meeting regarding an individualized educational program or hearing relating to the identification, evaluation, educational placement of the student, including disciplinary proceedings. In any case school personnel will respond no later than forty-five (45) calendar days after the date of the request. Parents and eligible students shall have the right to an explanation or interpretation by appropriate personnel of information contained in the records. The parent may request a representative to inspect and review the records.
7. The written request for access shall be filed in the student's folder. A Record of Access form shall be maintained in each students file.
8. The parent may request the school provide a copy at no cost if failure to provide this copy would effectively prevent the parent or student from exercising their right to review and inspect the records. If, however, the student has unpaid fees or fines, the transcript may be withheld until payment is made. If the student has lost or willfully destroyed or damaged property of the school, an employee, or other student, the school may withhold the grades, diploma and transcripts until the student or parent has paid the fees or fines.
9. A parent, whether married or divorced, has full rights under the law to inspect, review and request a copy of his or her student's education records, unless the school has been provided a court order that specifically revokes these rights. A stepparent, if he or she lives with the natural parent and child on a day-to-day basis and the other parent is not present, has the same rights as a natural parent.
10. Parents shall be afforded an opportunity for correction or deletion of the contents of the records through due process if they feel inaccurate, misleading, or otherwise inappropriate data is contained therein. Request shall be made to the principal in writing specifying what item they are requesting amended. If a principal decides not to amend the record as requested, the principal shall inform the parents of the decision.
11. If it is decided the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the school shall amend the record accordingly and inform the parent or eligible student of the amendment in writing.
12. If it is decided the information is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the school shall inform the parent of the right to place a statement in the record commenting on the contested information in the record,

stating why he or she disagrees with the decision. If a statement is placed in the educational record the school shall: Maintain the statement with the contested part of the record for as long as the record is maintained.

13. The confidentiality of student records will be maintained throughout the period of time when such records are collected, stored, disclosed or destroyed by the school. The Principal is responsible for maintaining the confidentiality of all students' records. In order to maintain the confidentiality of records without impeding the rights of parents, eligible students, and needs of the staff, the following procedures shall be in effect:
14. Information from a student's education record may be released without parent permission under certain circumstances:
  - a. To other school officials, including teachers, within Hawaii Public Schools who have legitimate educational interests.
  - b. To state educational authorities.
  - c. In compliance with a judicial order, or pursuant to any lawfully issued subpoena, upon the condition that the principal makes a reasonable effort to notify the parents by letter of all such orders or subpoenas in advance of the compliance.
  - d. In connection with a student's application for, or receipt of, financial aid.
  - e. 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; provided, that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purposes for which the study was conducted; the term "organizations" includes, but is not limited to, federal, state and local agencies, and independent organizations.
  - f. To accrediting organizations in order to carry out their accrediting functions.
  - g. To appropriate parties in a health or safety emergency.
  - h. Other disclosures authorized by the Family Educational Rights and Privacy Act.
15. Education records will be forwarded to another school system or post-secondary institution by the schools upon receipt of a request from the receiving school where the student seeks or intends to enroll, or where the student already is enrolled. Prior parent permission is not necessary.
16. Employee Responsibility to Protect Student Information
  - a. No employee shall disclose or release confidential student information as defined under the Family Education rights and Privacy Act (FERPA).
  - b. No employee shall disclose sensitive information that based on reasonable judgment of an employee that should be maintained as confidential other than when shared

with a proper administrator of staff member who is engaged in or responsible for helping to address the student issue.

- c. The FERPA restriction does not apply to the sharing of confidential information with other school staff when necessary to the performance of their duties and responsibilities (e.g., counselors, administrators, health aides, specialists, etc.).
- d. All school employees are responsible for referring any confidential disclosure request (other than under "B" above) to a school administrator for decision and action.
- e. Any employee who fails to adequately protect confidential student information is subject to discipline up to and including discharge.