



Student Information

Students
Policy
8018

Policy Statement

Records to be maintained

The principal of each school shall ensure that student records are maintained consistent with state requirements. Records shall be consolidated and kept in a secure location. The following records shall be maintained:

- Applicable directory information
- Cumulative education records which can include
 - Identifying data
 - Academic work completed
 - Level of achievement
 - Attendance data
 - Grades
 - Scores on group or individualized intelligence, achievement, aptitude, psychological, sociometric, or interest inventory tests
 - Health data
 - Family information
 - Teacher, counselor, or other school personnel ratings or observations
 - Discipline history
 - Verified reports of serious or recurrent behavior patterns
 - School health record and Emergency Treatment Data card
 - Any court orders pertaining to the student
- Persons requesting and obtaining disclosure of the records
- Transportation data
- Reason for leaving school

Education records for students with disabilities shall also include a separate file with documents related to the identification, evaluation, placement, and provision of a free appropriate public education.

Education records shall be maintained at the school until

- The student progresses out of the building into another grade cluster in the District
- The student withdraws from the District and the school receives a records request from another educational institution

For students who have graduated or who have withdrawn from the District with no subsequent records request, the records shall be maintained at the school last attended and transferred to the Delaware Public Archives as specified by the state.

The District shall take every reasonable step to protect the confidentiality of personally identifiable information including the assignment of an official to oversee such confidentiality.

Parents'/Guardians' and Eligible Students' Rights

- Either parent/guardian of a student has the authority to inspect and review the education records of the student unless the District has been provided with a court order or legally binding document that provides otherwise.
- When a student attains 18 years of age, the rights and consent required of the parent shall be provided only to the student.
- Parents and eligible students have the right to
 - Review and inspect education records
 - Attain copies of education records consistent with District policies
 - Seek the correction of education records through a written request for amendment upon the belief that information is inaccurate, misleading, or violates privacy rights
 - Be informed, in writing, if a request to amend records is denied and the reason for the denial
 - Have a hearing if the amendment request is denied
 - Be permitted to place a statement in the records if the request is further denied after a hearing
 - File complaints concerning the alleged failure of the District to comply with this policy

Disclosure of Education Records

Personally identifiable information from education records shall not be disclosed without the written consent of parents/guardians or eligible students except under the following circumstances:

- To staff members who have a legitimate educational interest in reviewing the records
- To officials of another school, school district, or institution of postsecondary education to which the student seeks or intends to enroll or is already enrolled
- To certain legally authorized governmental or educational authorities
- In connection with an application for or receipt of financial aid
- To state and local officials involved in the juvenile justice system to whom information is allowed to be disclosed by state law
- To authorized representatives of organizations conducting studies for the District for the purposes of administering predictive tests, administering student aid programs, and improving instruction. Such information must be destroyed when no longer needed for study purposes.
- To accrediting organizations in carrying out their functions
- In a legal action between the District and the parent or student
- To comply with a judicial order or subpoena. (Unless prohibited by law or court order, the District shall attempt to inform the parent or eligible student prior to compliance.)
- To appropriate parties in health and safety emergencies as necessary to protect the student or others
- For directory information, provided that the parent or eligible student is given notice and opportunity to opt out

All requests for education records of a student shall be in writing and maintained permanently with the records.

Copying Education Records

Parents/guardians and eligible students may request a copy of a student's records. Material protected by copyright or similar state and federal laws or regulations shall not be copied. The District shall charge a reasonable per page fee for copies, unless such a fee

	<p>effectively prevents the parent/guardian or student from exercising their right to inspect the records.</p> <p><u>Waiver</u> Parents/guardians or eligible students may waive any of the rights listed in this policy. The waiver shall be in writing and signed.</p> <p><u>Annual Notification</u> The Superintendent shall provide parents/guardians and eligible students annual notice of the following:</p> <ul style="list-style-type: none"> ▪ Their rights as listed in this policy ▪ The types of personally identifiable information designated as directory information and their rights to refuse such designation ▪ The period of time allowed to inform the District in writing that such personally identifiable information is not to be designated as directory information <p><u>Administrative Procedures</u> The Superintendent may create additional procedures necessary to the maintenance and protection of student records.</p>	
<p>Definitions</p>	<p><i>Consent:</i> Signed and dated permission that specifies the records that may be disclosed, the purpose of the disclosure, and the parties to whom the disclosure can be made</p> <p><i>Directory information:</i> Information not generally considered harmful if disclosed including, but not limited to: name, address, telephone, e-mail, date and place of birth, participation in activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards, pictures of in-school activities, video or print images for District purposes, and the most recent school attended</p> <p><i>Education records:</i> those records directly related to a student and maintained by the District or a party acting on the District's behalf. The term does not include personal records made by District staff in that member's sole possession, records created and maintained by a law enforcement unit providing services to the District, or records created or maintained by a medical professional in conjunction with treatment to a student if disclosed only to individuals providing treatment</p> <p><i>Eligible student:</i> one who is over 18 years of age or is attending a post-secondary educational institution</p> <p><i>Parent:</i> parent, legal guardian, relative caregiver, or one acting as a parent in the absence of a parent or guardian</p> <p><i>Personally identifiable information:</i> Information that includes the name of the student, student's family member(s), address, a personal</p>	

	identifier such as a social security number or student number, or a list of information that would make it possible to identify the student	
Responsibility	The Superintendent shall be responsible for compliance.	
References	<p>20 U.S.C. §1232g 34 CFR Part 99 14 Del. C. §4111 14 Del. C. §8101 A 14 Del. Admin. C. §251, 252 Delaware Department of Education Data Privacy https://education.delaware.gov/community/data/data-privacy/</p> <p>Related policies: 1004 Access to Public Information and Freedom of Information Act (FOIA) Requests, 5004 Public Information, 5005 Data Management, 5006 Technology, 5007 Conducting Research</p> <p>Related documents: Student Code of Conduct; Student Data Card; Information Security Manual; Red Clay Consolidated School District Administrative Memoranda “Data Collection and Research,” “Internal Data Analysis Reports,” “Release of Documents to Third Parties,” and “Subpoenas and Other Legal Requests for Information”</p>	
Adoption Date	Date of manual adoption	
Revision/ Review Date	03/15/1989 (as JO-R), 06/16/2010, 05/08/2024	