

Student Records; Confidentiality

Educational records, defined as records directly related to a student, will be kept for each student and will reflect the physical, emotional, social and academic aspects of a student's development in the educational process.

The Wallingford Board of Education recognizes the need to comply with the legal state and federal requirements regarding the confidentiality, access to and amendment of student records. The procedures for the confidentiality of student records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and its implementing and revised regulations, The No Child Left Behind Act of 2001, and the Connecticut General Statutes.

Safeguards shall be established by the school administration to protect the student and the student's family from invasion of privacy in the collection, maintenance and dissemination of information, and to provide accessibility to recorded information by those legally entitled thereto. Access to inspect or review a student's educational record or any part thereof may include the right to receive copies under limited circumstances.

The Superintendent shall be responsible for ensuring that all requirements under federal and state statutes shall be carried out by the district. He/She will develop procedures (administrative regulations) providing for the following:

1. Annually informing parents of their rights.
2. Permitting parents to inspect and review educational records, including, at least, a statement of the procedure to be followed by a parent or eligible student who requests to inspect and review the educational records, with an understanding that the procedure may not deny access to educational records; a description of the circumstances in which the district feels it has a legitimate cause to deny a request for a copy of such records; a schedule of fees for copies; and a listing of the types and locations of education records maintained by the school and the titles and addresses of school officials responsible for those records.
3. Not disclosing personally identifiable information from a student's education records without the prior written consent of the student's parent, except as otherwise permitted by administrative regulations; including at least a statement of whether the school will disclose personally identifiable information from the records to other school officials within the school who have been determined by the school to have legitimate educational interests, and, if so, a specification of the criteria for determining which parties are "school officials" and what the school considers to be a "legitimate educational interest"; and a specification of the personally identifiable information to be designated as directory information.

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Student Records; Confidentiality (continued)

4. Maintaining the record of disclosures of personally identifiable information from a student's education records and permitting a parent to inspect that record.
5. Providing a parent with an opportunity to seek the correction of the student's education records through a request to amend the records or a hearing, and permitting a parent to inspect that record.
6. Guaranteeing access to student records to authorized persons within five days following the date of request.
7. Assuring security of student records.
8. Enumerating and describing the student records maintained by the school system.
9. Annually informing parents under what conditions that their prior consent is not required to disclose information.
10. Ensuring the orderly retention and disposition, per applicable state statutes, of the districts student records.
11. Notifying parents of secondary school students that it is required to release the student's name, address and telephone listing to military recruiters and institutions or higher learning upon request. Parents or eligible students may request that the District not release this information, and the District will comply with the request.
12. Notifying parents annually of the District's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

- Legal References:** Connecticut General Statutes
- 1-19(b)(11). Access to public records. Exempt records.
 - 7-109. Destruction of documents.
 - 10-15b. Access of parent or guardians to student's records.
 - 10-154a. Professional communications between teacher or nurse & student.
 - 10-209. Records not to be public.
 - 10-221b. Boards of education to establish written uniform policy re: treatment of recruiters.

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11-8a Retention, destruction and transfer of documents

11-8b Transfer or disposal of public records. State Library Board to adopt regulations.

46b-56 (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V – Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.).

Dept. of Educ. 34 C.F.R. Part 99 (May9, 1980 45 FR 30802) regs.

implementing FERPA enacted as part of 438 of General Educ.

provisions act (20 U.S.C. 1232g) – parent and student privacy and

other rights with respect to educational records, as amended 11/21/96,

and Final Rule 34 CFR Part 99, December 9, 2008)

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C.

§2332b(g) (5)(B) and 2331

PL 107-110 “No Child Left Behind Act of 2001” Sections 5208 and 9528

Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)

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