

Alloway Township Board of Education District Policy Manual

Students

Series 5000

**Pupils' Records Policy For Students
With Educational Disabilities**

Policy 5125.1

Date Adopted: October 22, 2002

Date Revised

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The school district shall regulate access, compilation and maintenance of pupil records in compliance with federal and state statutes and regulations governing the collection, maintenance, disclosure and security of pupil records. It shall be the responsibility of the Superintendent or designee to ensure the security of pupil records maintained in the district's official files.

Pupil records shall contain only such information as is relevant to the education of the pupil and is objectively based on the personal observations of knowledge of the certified school personnel who originates the record.

It shall be the policy of this Board to guarantee access of pupil records only to persons authorized according to NJAC 6:3-2.5, within 10 working days of the request but prior to any review or hearing conducted in accordance with State Board of Education regulations. Access shall be granted only to authorized organizations, agencies or persons in accordance with specifications and conditions prescribed by regulations.

Confidentiality of pupil records shall be assured. Limited access shall be granted to secretarial and clerical personnel under direct supervision of certified school personnel to those portions of the records and to the extent necessary to record data and conduct routine clerical tasks. Access to computerized records shall be regulated and safeguards established to ensure security of these records. Access to the records of another pupil which is granted to a parent or adult pupil, shall be limited to that portion of the pupils record that pertains to his/her own child, or himself/herself.

A non-adult pupil may assert rights of access only through his/her parent(s) with the exception of emergency situations when it is determined by certified school personnel that disclosure of the pupil record to the pupil or to appropriate persons connected with the emergency will protect the health or safety of the pupil or other persons.

Annually, the permitted pupil records of currently enrolled students will be reviewed by certified school personnel, and data which is considered to be no longer educationally relevant or descriptive of the pupil will be deleted.

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All anecdotal information and assessment reports collected on a pupil shall be dated and signed by the person originating the data.

Parents shall be notified annually in writing of their rights in regard to pupil records and pupil participation in educational programs pursuant to NJSA 18A:36-19.1. Provisions shall be made for the inclusion of educationally relevant information in the pupil records by the parent. Furthermore, the rights of appeal for impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies and persons shall be adhered to.

When the parent's dominant language is not English, or the parent of is deaf, every effort shall be made to provide for interpretation of the pupil record in the dominant language of the parent or adult pupil.

Student directory information shall be compiled, released and publicized consistent with regulations.

No liability shall be attached to any member, officer or employee of this Board granting access to or furnishing pupil records in accordance with the specifications of the code. The Superintendent/designee shall direct the development of administrative procedures for the implementation of this pupil records policy and procedures for requesting a transfer student's records from the school district of previous attendance within two weeks of the transfer students' official enrollment in this school district.

The pupil records collected and maintained by the district are enumerated and described in the district's Pupil Records Policy 5125.

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Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
18A:36-19a Newly enrolled students; records and identification
18A:36-19.1 Military recruiters; access to schools and student information directories
18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent
18A:40-4 Examination for physical defects and screening of hearing of students; health records
18A:40-19 Records and reports of tuberculosis testing; disposition; inspection
26:5C-7 through -14 Acquired Immune Deficiency Syndrome
47:1A-1 et seq. Examination and copies of public records 47:3-15 et seq.
Destruction of Public Records Law
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC 6A:8-4.2 Documentation of student achievement
6A:14-1.1 et seq. Special Education
6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-7.1 et seq. Student records
6A:32-8.1 School register
6A:32-14.1 Review of mandated programs and services
8:61-1.1 Attendance at school by students or adults infected by HIV
15:3-2 State records manual
20 U.S.C.A. 1232g - Family Educational and Privacy Rights Act
42 U.S.C.A. 4541 et seq. - Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980
42 CFR Part II
Owasso Independent School District No. I-001 v. Falvo, 534 U.S. (2002)
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.