

ADMINISTRATIVE REGULATION: STUDENT RECORDS

In accordance with the policy of the Long Hill Township Board of Education (BOE) and in conformance with the requirements of state and federal legislation, the following District rules are promulgated for the handling of individual records.

A. Definitions

For purposes of this regulation, “student records” shall be defined as any information concerning an individual student gathered from within or without this school system and maintained within the school system regardless of the form used, i.e. in writing or in electronic format. Student records shall not include information about a student intended only for the use of the records, except that any such information becomes a student records when it is made known to any person other than the records.

For purposes of this regulation, “parent” shall mean either or both natural or adoptive parents of the student or the legal guardian(s) of the student. In cases where parental rights of either or both natural or adoptive parents have been terminated by a court of appropriate jurisdiction, the person holding the custody papers is responsible for informing the District that such individuals are to be denied access.

B. Mandated Records

In accordance with state mandate, the following records must be maintained:

1. Personal data which identify each student enrolled in the District, including name, address, date of birth, name of parents/guardians, citizenship, and sex; but records may not include data which indicate religious or political affiliation of the student or parents/guardians unless requested to do so by the parent/guardian. The labeling of students as illegitimate is prohibited. Students must use their legal names;
2. Record of daily attendance;
3. Descriptions of student progress including courses taken and evaluations made. Grade level (or other program) assignment must also be recorded. Record cards will contain the same marks for each student as appear on his/her report card.
4. Health history and status records compiled in accordance with the state regulations including immunization records and results of any physical examinations given by qualified District employees;
5. All other records required to be kept by state regulations including classification records of students for special education purposes.

C. Permitted Records

In accordance with the policies of the BOE, the administration may compile data regarding individual students that include:

1. Observations and ratings of the individual students by professional staff members acting within their sphere of competency;
2. Samples of student work;
3. Information obtained from professionally acceptable standard instruments of measurement, such as interest inventories, aptitude tests, vocational preference inventories, achievement tests, standardized intelligence tests;
4. Authenticated information provided by a parent/guardian or adult student concerning achievements and other school activities which the student wants to make part of the record;
5. Verified reports of serious or recurrent behavior patterns;
6. Extracurricular activities and achievements;
7. Academic honors earned.

No other records may be accumulated unless the collection of such facts has been authorized by the BOE or is required by the State of New Jersey.

D. Form of Records

The CSA or designee shall be responsible for the physical security of student records maintained in the school and shall devise procedures for ensuring that access to such records is limited to authorized persons only.

All student records shall be reviewed annually by the appropriate administrator in order to evaluate the educational relevance of the material contained therein. Each reviewer shall delete from the records data detrimental to the student and no longer descriptive of the student or educational situation. Such data shall be destroyed and not be recorded elsewhere nor shall a record of such deletion be made.

Records of students who have completed eighth grade or otherwise terminated their schooling shall be preserved permanently and shall include only name, date of birth, grade level completed, year of completion, subjects taken, grades received, credits awarded and attendance and shall be maintained at the last school and level attended. No additions shall be made to the records after graduation or permanent departure without the prior consent of the parent/guardian or adult student.

The appropriate principal shall be responsible for the transfer of all records for students who will be continuing their education outside the District or at the receiving high school within 10 calendar days of verification of transfer.

All records for each individual student shall be maintained together in the student's school of attendance, except that records for an individual student may be maintained in different locations if there is a notation in the student's central file as to which records are maintained by the District and where all records may be found.

F. Access to Records

Only authorized individuals, organizations or agencies shall be granted access to individual records under any conditions. When authorized individuals are other than the student, his/her parent/guardian, or professional staff members of the District, or are organizations of agencies, access shall be limited to those records related to the specific purpose to be served by such access. Those so authorized and the limiting conditions are:

1. The parent/guardian of a student and the student who had the written permission of such parent/guardian or the student granted access to his/her own records at the discretion of school authorities, of the student who has reached the age of 16 and will terminate his/her education by discontinuance or by secondary graduation;
2. The adult student and the parent/guardian of such student who has his/her written permission. Except that the parent/guardian shall have access without the consent of the adult student if the student is financially dependent on the parent/guardian and enrolled in the public school;
3. Professional staff members who have assigned responsibility for the educational program of the student;
4. Appropriate persons in case of emergency, if such knowledge is necessary to protect the health or safety of the student or other person;
5. Accrediting organizations in order to carry out their accrediting functions;
6. The parents/guardians of a student about whom information is contained on another student's record, but only that portion which pertains to their child;
7. Officials of other public school districts in which the student intends to enroll, except that the parent/guardian or the adult student shall be notified of the release of mandated records and shall give written consent to the release of permitted records, except where a formal sending-receiving relationship exists. Records shall be forwarded to the administrative officials of the school to which the student has transferred within 10 days after the transfer has been verified by the present school district;
8. Organizations, agencies or persons outside the school provided they have the written consent of the parent/guardian or the adult student, except that these organizations shall not transfer student information to a third party without written consent of the parent/guardian or adult student.
9. Organizations, agencies or persons outside the school upon the presentation of a court order provided that the parent/guardian or the adult student has been given at least three days notice (in writing, if practicable) of such order enumerating the requesting agency and the specific records requested. Only those records related to the specific purpose of the court order shall be disclosed;

10. Authorized representatives of the comptroller general of the United States, or other cabinet-rank official authorized by law;
11. The Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility necessitating the review of such records;
12. Researchers from state and federal government agencies, educational institutions, and the like who have received permission from the office of the CSA and who will be using the records under strict conditions of anonymity and confidentiality.

G. Viewing of Records

Authorized individuals, organizations and agencies as defined in section F shall have access to the records of a student, subject to the following procedures;

1. Authorized individuals, organizations, agencies and persons from outside the school must have prior approval from the CSA. Access must be granted to eligible persons within 25 days from the date of the request.
2. No student records shall be altered, destroyed or items removed during the time period between a request to review the record and the actual review of the record;
3. The building principal shall be present during the period of inspection in order to be available for the interpretation of the records and to prevent the alteration, damage or loss of the record itself.
4. All individuals, organizations or agencies desiring access to the records of a student shall be required to sign a form which shall be kept permanently with the records and which shall specify the name(s) of the person(s) granted access, the reason access was granted, the date of inspection and the records studied.
5. Upon request, the principal shall provide for the interpretation of the student records in the dominant language of the authorized viewer.
6. A record may be withheld from a parent/guardian, or from an adult student, only when the person who originated the record demonstrates with clear and convincing proof to the CSA that such disclosure would create a substantial risk of harm to the student or the person with whom the record deals.
7. If the CSA is convinced that the risk of disclosure noted in 6 above is of such high degree, the parent/guardian of adult student shall be notified within five days that access to the record has been denied, and that the requestor has the right to a review by the Commissioner of Education in accordance with state rules.

H. Reproduction of Records

Upon the request of the viewer, a record shall be reproduced within ten (10) business days, unless said record is copyrighted or otherwise not permitted to be reproduced, and the viewer charged the allowable fees in accordance with the schedule associated with the Open Public Records Act.

I. Challenges to Records

1. Student records are subject to challenge by parents/guardians and adult students on grounds of accuracy, relevancy, disclosure or denial of access to individuals, organizations or agencies. The parent/guardian or adult student has the following rights:
 - a. To seek expungement or correction of inaccurate, misleading or irrelevant, invalid or otherwise improper information contained in the student record
 - b. To insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records
 - c. To request an immediate stay of disclosure pending final determination of the challenge procedure.
2. To appeal, a parent/guardian or adult pupil must notify the CSA, in writing, or the specific issues relating to the student record. Within 10 days of notification, the CSA or designee shall meet with the parent/guardian or adult student to review the issues set forth in the appeal. If the matter is not satisfactorily resolved, the parent/guardian or adult student may appeal this decision to the Board of the Commissioner of Education within 10 days. If the appeal is made to the Board, a decision shall be rendered within 20 days. The decision of the Board may be appealed to the Commissioner pursuant to state law and code. At all stages of the appeal process, the parent/guardian shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and the outcome shall be made a part of the student's record with copies made available to the parent/guardian or adult student.

J. Right to Know

1. Parents/guardians shall be notified annually at the start of the school year by notice of their rights under these regulations.
2. Copies of this policy and regulations, along with applicable state and federal regulations regarding student records, shall be made available to parents/guardians on request.

Reviewed and readopted; February 13, 2012

Adopted: June 26, 2000

