

THE SCHOOL DISTRICT  
OF PHILADELPHIA

SECTION: PUPILS

TITLE: STUDENT RECORDS

ADOPTED: December 21, 2011

REVISED:

<p>216. STUDENT RECORDS</p>	
<p>1. Authority SC 1305-A, 1306-A, 1402, 1409, 1532, 1533 Title 22 Sec. 4.52, 12.31, 12.32, 15.9 20 U.S.C. Sec. 1232g 34 CFR Part 99, Part 300</p>	<p>The district recognizes its responsibility for the collection, retention, disclosure and protection of student records. The School Reform Commission (SRC) also recognizes the legal requirement to maintain the confidentiality of student records and prohibits the unauthorized access, reproduction, and/or disclosure of student education records and personally identifiable information from such records.</p> <p>The SRC shall adopt a comprehensive plan for the collection, maintenance and dissemination of student education records that complies with federal and state laws and regulations and state guidelines. Copies of the adopted student records plan shall be maintained by the district and revised as required by changes in federal or state law and regulations.</p> <p>Copies of the student records plan shall be submitted to the Department of Education, upon request.</p>
<p>2. Definitions 34 CFR Sec. 99.3</p> <p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p>	<p><b>Attendance</b> includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.</p> <p><b>Directory information</b> - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. <b>Directory information</b> includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.</p>

	<p><b>Directory information</b> does not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one (1) or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.</p>
<p>34 CFR Sec. 99.3</p>	<p><b>Disclosure</b> - permitting access to or the release, transfer or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.</p>
<p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p>	<p><b>Education records</b> - records that are directly related to a student, maintained by the school district or by a party acting for the school district.</p>
<p>34 CFR Sec. 99.8</p>	<p>The term does not include:</p> <ol style="list-style-type: none"> <li>1. Records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record.</li> <li>2. Records of the law enforcement unit of an educational agency or institution, subject to the provisions of law and regulations.</li> <li>3. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.</li> <li>4. Grades on peer-graded papers before they are collected and recorded by a teacher.</li> <li>5. Other records specifically excluded from the definition of education record under the Family Educational Rights and Privacy Act, and implementing regulations.</li> </ol>
<p>34 CFR Sec. 99.3, 99.5</p>	<p><b>Eligible student</b> - a student who has attained eighteen (18) years of age or is attending an institution of postsecondary education. All rights accorded to and consent required of the parent/guardian of the student shall thereafter only be accorded to and required of the eligible student. In cases where an eligible student is dependent upon the parent/guardian as defined in Section 152 of the Internal Revenue Code, the district shall make the education records accessible to the parent/guardian of said student.</p>

<p>34 CFR Sec. 99.3, 99.4</p>	<p><b>Parent</b> - includes a natural parent, a guardian or an individual acting as a parent of a student in the absence of a parent/guardian. The district shall give full rights to either parent/guardian unless the district has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.</p>
<p>34 CFR Sec. 99.3</p>	<p><b>Personally identifiable information</b> - includes, but is not limited to:</p> <ol style="list-style-type: none"> <li>1. The name of a student, the student's parents/guardians or other family members.</li> <li>2. The address of the student or student's family.</li> <li>3. A personal identifier, such as the student's social security number, student number, or biometric record.</li> <li>4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.</li> <li>5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.</li> <li>6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.</li> </ol>
<p>34 CFR Sec. 99.3</p>	<p><b>Student</b> - includes any individual who is or has been in attendance at the district and regarding whom the district maintains education records.</p>
<p>3. Delegation of Responsibility</p>	<p>The Superintendent or designee, in consultation with district staff, shall be responsible for developing, implementing, and monitoring the student records plan.</p> <p>All district personnel having access to student education records shall receive periodic training in the requirements of SRC policy, student records plan, and applicable federal and state laws and regulations.</p>
<p>SC 1532 Pol. 213, 215</p>	<p>Each district teacher shall prepare and maintain a record of the work and progress of each student, including the final grade and a recommendation for promotion or retention.</p>
<p>4. Guidelines</p>	<p>The district's plan for the collection, retention, disclosure and protection of student records shall provide for the following:</p>

<p>34 CFR Sec. 99.7</p>	<p>1. Adequate safeguards to protect the student and his/her family from an invasion of privacy when collecting, retaining and disclosing personally identifiable information.</p>
<p>34 CFR Sec. 99.10, 99.11, 99.12</p>	<p>2. Ensuring that parents/guardians and eligible students, including those who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights, annually and upon enrollment.</p>
<p>34 CFR Sec. 99.20</p>	<p>3. Procedures for the inspection, review, and copying of a student's education records by parents/guardians and eligible students. The district may charge a fee for copies of records that are made for parents/guardians so long as the fee does not effectively prevent parents/guardians from exercising their right to inspect and review those records. The district shall not charge a fee to search for or to retrieve information in response to a parental request.</p>
<p>34 CFR Sec. 99.21, 99.22</p>	<p>4. Procedures for requesting the amendment of a student's education records that the parent/guardian or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.</p>
<p>34 CFR Sec. 99.3, 99.37</p>	<p>5. Procedures for requesting and conducting hearings to challenge the content of the student's education records.</p>
<p>34 CFR Sec. 99.30-99.39</p>	<p>6. Enumerating and defining the types, locations and persons responsible for education records maintained by the district.</p>
<p>34 CFR Sec. 99.7, 99.31</p>	<p>7. Determining the types of personally identifiable information designated as directory information.</p>
<p>34 CFR Sec. 99.32</p>	<p>8. Establishing guidelines for the disclosure and redisclosure of student education records and personally identifiable information from student records.</p>
<p>34 CFR Sec. 99.32</p>	<p>9. Reasonable methods to ensure that school district officials obtain access to only those education records in which they have a legitimate educational interest. Such methods shall include criteria for determining who constitutes a school district official and what constitutes a legitimate educational interest.</p>
<p>34 CFR Sec. 99.32</p>	<p>10. Maintaining required records of requests for access and each disclosure of personally identifiable information from each student's education records.</p> <p>11. Ensuring appropriate review, retention, disposal and protection of student records.</p>

SC 1305-A	12. Transferring education records and appropriate disciplinary records to other school districts.  <u>Student Recruitment</u>
Pol. 250	Procedures for disclosure of student records and personally identifiable information shall apply equally to military recruiters and postsecondary institutions and shall comply with law and SRC policy.  References:  School Code – 24 P.S. Sec. 1305-A, 1306-A, 1402, 1409, 1532, 1533  State Board of Education Regulations – 22 PA Code Sec. 4.52, 12.31, 12.32, 15.9, 16.65  Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g  Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99  School Reform Commission Policy – 113, 113.1, 213, 215, 216.1, 216.2, 250