

# DELAWARE VALLEY SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT RECORDS

ADOPTED: FEBRUARY 17, 2011

REVIEWED: JANUARY 20, 2011

216. STUDENT RECORDS	
<p>1. Purpose</p>	<p>The educational interests of students require the collection, retention, and use of data and information about individuals and groups of students while ensuring the individual's right to privacy. The school district will maintain educational records for students for legitimate educational purposes.</p>
<p>2. Authority SC 1303a, 1305-A, 1402, 1409, 1532, 1533</p> <p>20 U.S.C. Sec. 1232g P.L. 93-380 34 CFR 99 Title 22 Sec. 4.52, 12.31 et seq</p>	<p>The Board recognizes its responsibility for compilation, retention, disposition and security of student records. The Board also recognizes the legal requirement to maintain the confidentiality of student records.</p> <p>The Board shall adopt a comprehensive plan for all aspects of student records that conforms to the mandates of the Family Educational Rights and Privacy Act (FERPA) and its regulations; the Guidelines for the Collection, Maintenance, and Dissemination of Student Records; and the Standards for Special Education. Only educational records mandated by federal and state statutes and regulations, or permitted by the Board, may be compiled by district staff.</p> <p>Parents/Guardians and eligible students eighteen (18) years and older shall be notified annually, and upon initial enrollment, of their rights concerning student records. The notice shall be modified to accommodate the needs of the disabled or those whose dominant language is other than English.</p>
<p>3. Delegation of Responsibility</p>	<p>The Superintendent or designee shall be responsible for developing and implementing a comprehensive plan for records of regular students and students with disabilities that meets the requirements of all state and federal statutes and regulations and is approved by the Board.</p> <p>The designated administrator shall establish safeguards to protect the student and his/her family from an invasion of privacy when collecting, retaining and disseminating student information and providing access to authorized persons.</p>

<p>SC 1532 Board Policy 213, 215</p> <p>4. Definitions</p>	<p>In accordance with law, 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>1.0 The following seven pertinent terms, DIRECTORY INFORMATION, DISCLOSURE, EDUCATIONAL RECORD, ELIGIBLE STUDENT, PARENT, PERSONALLY IDENTIFIABLE INFORMATION and RECORD are defined in the upcoming paragraphs. These definitions will remain constant through explanation of the Pupil Record policy of the Delaware Valley School District.</p> <p>1.1 DIRECTORY INFORMATION includes the following information relating to a student: the student’s name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weights and heights of students participating on athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student and other similar information. DIRECTORY INFORMATION can be any or all of the stipulated information.</p> <p>A. At the beginning of the school year, the Delaware Valley schools will notify parents of the intended release of DIRECTORY INFORMATION and the parents of individual students will have thirty days to refuse to allow the revealing of either all or any part of the DIRECTORY INFORMATION of their individual student.</p> <p>B. The release of DIRECTORY INFORMATION is solely for the purpose of publicizing official school functions and activities.</p> <p>C. DIRECTORY INFORMATION will not be given to anyone or any organization that just asks for it, for example, salespersons, admissions agents, self-interest groups, etc.</p> <p>1.2 DISCLOSURE means permitting access or the release, transfer, or other communication of educational records of the student or the personally identifiable information contained therein, orally or in writing, or by electronic means, or by any other means to any party.</p> <p>1.3 EDUCATIONAL RECORD means those records which (1) are directly related to a student and (2) are maintained by the Delaware Valley School District or a party acting for the agency of the Delaware Valley School District.</p>
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	<p>1.3.1 EDUCATIONAL RECORD also means those records of the Delaware Valley School District which contain only information relating to a person after the person was no longer a student of the Delaware Valley School District. An example would be information collected by the Delaware Valley School District pertaining to the accomplishments of its alumni (a particular example would be, for instance, the number of students who received three years of training in the automotive mechanics in the vocational-technical department and who are now working in the automotive field two years after graduation from high school).</p> <p>1.3.2 The definition of EDUCATIONAL RECORDS is one and the same for PUPIL RECORD and the two terms will be used interchangeably in the statement of policy.</p> <p>1.4 ELIGIBLE STUDENT means a student who has attained eighteen years of age, is married, or is attending an institution of post-secondary education.</p> <p>A. Whenever a student has attained eighteen years of age, is married, or attending a post-secondary educational institution, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student.</p> <p>B. A student who has attained eighteen years of age and who is declared a dependent by the parent (or parents) as defined in section 152 of the Internal Revenue Code of 1954 may not deny access to the parent or parents to the student's PUPIL RECORD.</p> <p>1.5 PARENT includes a parent, a guardian, or an individual acting as a parent of a student in the absence of a parent or guardian. The Delaware Valley School District will presume the parent has the authority to exercise the rights inherent in the Family Educational Rights and Privacy Act unless the Delaware Valley School District has been provided with evidence that there is a state law or court order governing such matters as divorce, separation, or custody, or a legally binding instrument which provides to the contrary.</p> <p>A. In cases of divorce or separation if one parent states that the other parent is not to have access to their children's PUPIL RECORD, then the first parent must submit a court document so stating to the Delaware Valley School District (see section 5.4).</p> <p>1.6 PERSONALLY IDENTIFIABLE INFORMATION means that data or information that includes (1) the name of the student, the student's parent, or other family members; (2) the address of the student; (3) a personal identifier, such as the student's social security number or student number; (4) a list of personal characteristics which would make the student's identity easily</p>
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<p>4. Guidelines</p>	<p>traceable; or (5) other information which would make the student's identity easily traceable.</p> <p>1.7 RECORD means any information or data recorded in any media including, but not limited to handwriting, print, tapes, film, microfilm, and microfiche.</p> <p>3.0 No information shall be collected from students without prior informed consent of the child and his parents.</p> <p>3.1 Such consent may be given either individually or through the parents' legally elected or appointed representatives (for example, the Board of Education), depending on the nature of the information to be collected.</p> <p>3.1.1 Representational consent, given by the Board of School Directors will be deemed sufficient for data collection and reporting with regard to the duly authorized standardized group testing program. Such representational consent will also be deemed sufficient for the reporting of skill and knowledge outcomes in the subject matter areas now within the customary curricula of public schools.</p> <p>3.1.2 Informed individual consent of each child and/or the parents shall be required in the following areas:</p> <ul style="list-style-type: none"> <li>A. Individual psychological assessment, including intelligence and achievement testing.</li> <li>B. Personality testing and assessment.</li> <li>C. Collection of family data other than that required for pupil identification (for example, ethnic origin, religious beliefs, income and occupational data, husband-wife relations, etc.)</li> <li>D. Collection of any information not directly relevant for educational purposes.</li> </ul> <p>3.1.3 Annual notice shall be provided to parents regarding procedures such as habit/skills tests or vocational interest inventories normally administered by guidance counselors in the regular course of their duty as program advisors.</p> <p>3.2 No statement of consent, whether individual or representational should be binding unless it is freely given after:</p> <p>3.2.1 The parents (and students where appropriate by the principles described) have been fully informed as to the methods by which the information will be collected; the uses to which it will be put; the methods by which it will be</p>
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	<p>recorded and maintained; the time period for which it will be retained; and the persons to whom it will be available and under what conditions; or</p> <p>3.2.2 The reasons for the impossibility or undesirability of such explanations have been presented.</p> <p>3.3 In all situations when INDIVIDUAL CONSENT is to be obtained, it shall be in writing.</p> <p>3.4 Where individual consent is required, the student's consent should also be obtained where <u>the student</u> is reasonably competent to understand the nature and consequences of this decision.</p> <p>3.5 In situations in which representational consent is sufficient, students and their parents shall be informed in advance by school officials, annually, of the purposes and character of the data collections. Moreover, they are guaranteed reasonable opportunities by the representational agency (for example, the school board) to contest the necessity or desirability of particular data collection processes, or proposed use of such data. It is emphasized, however, that the decision of the representational agency is, subject to higher authority or judicial review, binding on all students and parents, whether or not they might individually have consented to the collection.</p> <p>3.6 In the special problems presented during interviews or diagnostic tests by the psychologist, school counselor, social worker, nurse, school principal, etc., the recommendations on informed consent will be applied where possible.</p> <p>3.6.1 The professional should inform the student as fully as possible, consonant with his/her professional responsibility and the capacity of the student to understand the implications of the situation, about the data that are likely to be obtained; and</p> <p>3.6.2 Should stress the voluntary character of the student's participation.</p> <p>3.6.3 Where reasonable doubt exists about the capacity of the student to understand the implications of the situation, either because of the student's age or other circumstances, parental permission will be sought first. Moreover, where a student clearly in need of intervention declines to participate, the professional will seek parental consent.</p> <p>3.6.4 In either case, if parental consent is not given, further steps to provide assistance (resorting to the compulsory machinery of the school) should be initiated only if the principal agrees that:</p>
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	<ul style="list-style-type: none"> <li>A. Giving full attention to the privacy interests involved, intervention is imperative;</li> <li>B. Both the student and the student's parents have been fully informed, so far as that is possible, and</li> <li>C. Appropriate school authorities have consented.</li> </ul> <p>3.6.5 It should be noted that the difficulties in meeting the criterion of informed consent in this type of situation place unusual stress on the proper management of recording of information and control over dissemination.</p> <p>3.7 Where data are to be collected for nonschool purposes either by school personnel or outsiders (such as use of the student population as subjects in medical or social science research studies or other surveys) the above recommendations for consent shall be fully applied, with the further provision that prior informed consent must be obtained from the responsible school authorities.</p> <p>3.7.1 In cases where data are to be collected under conditions of anonymity, this fact should not relieve the collecting agency of the obligation to obtain the appropriate form of consent. In addition, school authorities will establish procedures for regulating the collection of such data; including:</p> <ul style="list-style-type: none"> <li>A. Timely notification to students and their parents that their participation in any aspect of any such data collection is entirely voluntary; and</li> <li>B. Careful reviews of the instruments and procedures to be used for any such data collection to determine whether the methods and/or inquiries constitute a significant potential invasion of privacy, <b>THIS DOES NOT APPLY TO SURVEYS WHERE STUDENTS' ANONYMITY ARE MAINTAINED.</b></li> </ul> <p>4.0 A cumulative record shall be maintained for each pupil from his/her entrance into school through the twelfth grade. Such records pertaining to the individual pupil will be used only for the benefit, promoting or welfare of the pupil. Provisions shall be made for including at least the following:</p> <ul style="list-style-type: none"> <li>A. Personal and family data including certification of name and date of birth.</li> <li>B. Test data, including aptitude, interest, personality, and social adjustment ratings.</li> <li>C. Medical reports</li> </ul>
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	<ul style="list-style-type: none"><li>D. All achievement records, as determined by tests and teacher evaluations</li><li>E. Anecdotal reports</li><li>F. Psychological reports</li><li>G. Pupil questionnaires</li><li>H. Records of conferences</li><li>I. Copies of correspondence with parents and others concerning the pupil</li><li>J. Other records which may contribute to understanding of the pupil</li><li>K. Student outcomes</li><li>L. Post-school records</li></ul> <p>4.1 CATEGORY A DATA: Includes official administrative records that constitute the minimum personal data necessary for operation of the educational system. Specifically this shall mean identifying data (including names and address of parents or guardian), birth date, academic work completed, level of achievement (grades, standardized achievement test scores) and attendance data.</p> <p>4.1.1 These records would be maintained for at least 100 years after the eighteenth birthday of the student. See section 5.1.</p> <p>4.2 CATEGORY B DATA shall include verified information of clear importance such as scores or standardized intelligence and aptitude tests, interest inventory results, health data, family background information, systematically gathered teacher or counselor ratings and observations and verified reports of serious or recurrent behavior patterns are included in this category.</p> <p>4.2.1 The professional staff will take necessary steps to ensure the accuracy of Category B Data. In particular, reported behavior patterns and specific incidents must be unambiguously described and clearly verified before they become part of any continuing records.</p> <p>4.2.2 CATEGORY B DATA shall be reviewed annually and shall be eliminated as it becomes unnecessary. All such data which is not clearly relevant for educational purposes shall be eliminated before the child enters the middle school and at the completion of grade 8. The Delaware Valley School District feels that scores on standardized group tests of intelligence and</p>
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	<p>achievement are of continuing value and shall be part of the continuing record.</p> <p>4.2.3 Conditions of access to these data are set forth in 4.0 – 4.2.2. Parents should be periodically informed of the content of these records and their right of access to these data.</p> <p>4.3 <b>CATEGORY C DATA:</b> Includes potentially useful information but not yet verified or clearly needed beyond the immediate present; for example, legal or clinical findings including certain personality test results and unevaluated reports of teachers, counselors, and others which may be needed in ongoing investigations and disciplinary or counseling actions.</p> <p>4.3.1 Such data should be reviewed at least once a year and destroyed as soon as their usefulness is ended; or transferred to Category B. Transfer to Category B may be made only if two conditions are met, namely:</p> <p style="padding-left: 40px;">A. The continuing usefulness of the information is clearly demonstrated, and</p> <p style="padding-left: 40px;">B. Its validity has been verified, in which the student’s parents will be notified and the nature of the information explained.</p> <p>4.3.2 If, for any reason, temporary unevaluated data are held for more than a year, the existence of these data will be discussed with the parent and the reason for their maintenance explained fully.</p> <p>4.4 <b>CONFIDENTIAL PERSONAL FILES OF PROFESSIONALS IN THE SCHOOL</b> (counselors, disciplinarians, social workers, and school psychologists): The Delaware Valley School District recognizes that, in some instances, professionals working in the school may maintain personal and confidential files containing notes, transcripts of interviews, clinical diagnoses, and other memory aids for their own use in counseling and/or dealing with students.</p> <p>4.4.1 The confidential, personal files of the professionals are created, maintained, and used only in connection with the provision for counseling and/or dealing with the student according to the designated duties of the professionals.</p> <p>4.4.2 The records created, maintained and/or used by physicians, psychiatrists, psychologists, or other recognized professionals or paraprofessionals (to whom the student has been referred by the Delaware Valley School District) acting in his/her professional or paraprofessional capacity, or assisting in that capacity:</p>
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	<p>A. Created, maintained, and/or used only in connection with the provision of treatment to the student, and</p> <p>B. Not disclosed to anyone, other than individuals providing the treatment, provided that the records can be personally reviewed by a physician or other appropriate professional of the parent's and of eligible student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities which are part of the program of instruction at any of the levels of the Delaware valley School District.</p> <p>4.5 The Delaware Valley School District permits the parent of a student or an eligible student who is or has been in attendance at any of the levels of the Delaware Valley School District to inspect and review the education records of the student.</p> <p>4.6 The Delaware Valley School District will comply with a request for an inspection of a student's educational record as soon as possible and in no case will more than thirty days elapse from the time of the request to the actual inspection takes place.</p> <p>4.7 A parent or eligible student will inspect the student's educational record in the presence of a counselor, assistant principal, principal or some other appropriate designated professional who can interpret and explain the contents of the records.</p> <p>4.8 The Delaware Valley School District will presume that either parent of the student has authority to inspect and review the education records of the student unless the Delaware Valley School District has been provided with evidence that there is a legally binding instrument, or a state law or court order governing such matters as divorce, separation, or custody which provides to the contrary.</p> <p>4.9 The Delaware Valley School District at any level will not destroy any educational records if there is an outstanding request to inspect and review them.</p> <p>5.0 Explanations placed in the pupil record shall be maintained as provided.</p> <p>5.1 Category A Data will be maintained for at least 100 years after the 18<sup>th</sup> birthday of the student and thereafter shall they be destroyed if it is deemed necessary.</p> <p>5.2 Category B Data, as stated in Section 4.2.2, will be eliminated as this information becomes unnecessary.</p>
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	<p>5.3 Category C Data will be eliminated as soon as its usefulness has ended as stipulated in Section 4.3.1.</p> <p>5.4 The record of access required under Section 7.2 shall be maintained for as long as the education record to which it pertains is maintained.</p> <p>5.5 The high school counselors shall be responsible on the high school level for records maintenance and access, and for the education of the staff about maintenance and access policies, as the middle school counselor will be on the middle school level, and as the elementary principal will be on the elementary school levels. All school personnel having access to records shall receive periodic training in security, with emphasis upon privacy rights of students and parents.</p> <p style="padding-left: 40px;">A. Secretaries to the guidance counselors and principals will have access to the pupil records only in discharging their clerical duties.</p> <p>5.6 Records shall be kept under lock and key at all times, under the supervision of the designated professional.</p> <p>5.7 Formal procedures are established whereby a student or his/her parents might challenge the validity of any of the information contained in the pupil records. See Sections 8.5 to 9.3 inclusively.</p> <p>5.8 Category B Data, limited to the scores on group intelligence and achievement tests, with accompanying identifying information, shall be retained for a period of five years after the student leaves school unless such retention is challenged under the established procedures.</p> <p style="padding-left: 40px;">Such information will be retained under the same procedures for security, and access as active pupil records.</p> <p>5.9 Prior consent for disclosure of the pupil record will not be required of the Delaware Valley School district which may disclose Category A and B data information from the education records of a student without the written consent of the parent of the student or the eligible student if the disclosure is:</p> <p>6.0 To other school officials, including teachers, within the school the student is enrolled, who have been determined to have a legitimate educational interest.</p> <p style="padding-left: 40px;">A. Legitimate educational interest refers to anyone who is directly charged with imparting instruction to the student.</p>
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<p>SC 1305-A</p>	<p>6.1 To officials of another school or school system in which the student seeks or intends to enroll:</p> <p>A. The official transcripts usually required of students seeking admission to post-secondary educational institutions will be sent without written consent of the parent or eligible student when the transcript accompanies the application for admission or is required subsequent to submitting an application for admission.</p> <p>6.2 To authorized representatives:</p> <p>A. The Comptroller General of the United States</p> <p>B. The Secretary of Education (of Pennsylvania) so long as related to the statutory responsibilities of the secretary</p> <p>C. The Commissioner, the Director of the National Institute of Education, or the Assistant Secretary of Education</p> <p>D. State educational authorities</p> <p>E. Military Recruiters</p> <p>6.3 In connection with financial aid for which a student has applied or which a student has received; provided that personally identifiable information from the pupil may be necessary for such purposes as:</p> <p>A. To determine the eligibility of the student for financial aid.</p> <p>B. To determine the conditions which will be imposed regarding the financial aid.</p> <p>C. To enforce the terms or conditions of the financial aid.</p> <p>6.4 To state and local officials or authorities to whom information is specifically required to be reported or disclosed pursuant to State Statute adopted prior to November 19, 1974.</p> <p>6.5 To organizations conducting studies for, or on behalf of, the Delaware Valley School District for the purpose of developing, validating, or administering predictive tests, administering student aid programs and improving instruction; provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information</p>
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	<p>will be destroyed when no longer needed for the purposes for which the study was conducted; the term “organizations“ includes but is not limited to federal, state, and local agencies and independent organizations.</p> <p>6.6 To accrediting organizations in order to carry out their accrediting functions.</p> <p>6.7 To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954.</p> <p>6.8 To comply with a judicial order or lawfully issued subpoena; however, the Delaware Valley School District will make reasonable efforts to notify the parent of the student of the eligible student of the order or subpoena in advance of compliance therewith.</p> <p>6.9 To appropriate parties in a health or safety emergency (see Section 8.0).</p> <p>7.0 For directory type information released to publicize official school functions and activities unless the Delaware Valley School District has been notified to the contrary by the parent of the student or the eligible students.</p> <p>7.1 The Delaware Valley School District will require prior written consent from the parent of the student or the eligible student whenever disclosing personally identifiable information or the educational record of a student, other than directory information and except as provided in Section 7.0 and its subparagraphs.</p> <p>A. Whenever written consent is required, the Delaware Valley School District will presume that the parent of the student or the eligible student giving consent has the authority to do so unless the district has been provided with evidence that there is a legally binding instrument, or a state law or court order governing such matters as divorce, separation or custody, which provides to the contrary.</p> <p>B. Written consent required by section 7.1 must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:</p> <ol style="list-style-type: none"> <li>1. A specification of the records to be disclosed</li> <li>2. The purpose or purposes of the disclosure and</li> <li>3. The party or class of parties to whom the disclosure may be made</li> </ol> <p>C. When a disclosure is made pursuant to Section 7.1, the Delaware Valley School District will, upon request, provide a copy of the record which is</p>
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	<p>disclosed to the parent of the student or the eligible student, and to the student who is not an eligible student if so requested by the student's parents.</p> <p>7.2 The Delaware Valley School District will, for each request for and disclosure of personally identifiable information from the education records of a student, maintain a record kept with the pupil record of the student which indicates:</p> <ul style="list-style-type: none"><li>A. The parties who have requested and obtained personally identifiable information from the education records of the student, and</li><li>B. The legitimate interests these parties had in requesting or obtaining the information.</li></ul> <p>7.3 Section 7.2 and its subparagraphs do not apply:</p> <ul style="list-style-type: none"><li>A. To requests by or disclosure to a parent of a student or an eligible student,</li><li>B. If there is the consent of the parent of a student or an eligible student,</li><li>C. To requests for or disclosure of directory information.</li></ul> <p>7.4 The record of requests and disclosures may be inspected by the parent of the student, the eligible student, and by the school official and his/her assistants who are responsible for the custody of the records.</p> <ul style="list-style-type: none"><li>A. For the purposes of auditing the record-keeping procedures of the Delaware Valley School District by the parties authorized in and under the conditions set forth in section 6.2.</li></ul> <p>7.5 The Delaware Valley School District may disclose personally identifiable information from the education records of a student who is in attendance at any grade level within the district if that information has been designated as directory information.</p> <p>7.6 The Delaware Valley School District may disclose directory information from the education records of an individual who is no longer in attendance at any level of the district without following the procedures stipulated in Section 7.7.</p> <p>7.7 The Delaware Valley School District, when it wishes to designate directory information, will give notice to the following:</p>
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	<ul style="list-style-type: none"><li>A. The categories of personally identifiable information which the district has designated as directory information.</li><li>B. The parent of the student or the eligible student must notify within thirty days the Delaware Valley School District and the notice shall be in writing that such personally identifiable information is not to be designated as directory information with respect to the student.</li></ul> <p>7.8 The Delaware Valley School District when it transfers the education record of a student pursuant to Section 6.1 and its subparagraph, shall:</p> <ul style="list-style-type: none"><li>A. Make a reasonable attempt to notify the parent of the student or eligible student of the transfer of the records at the last known address of the parent or the eligible student, except:<ul style="list-style-type: none"><li>1. When the transfer of the records is initiated by the parent or the eligible student.</li></ul></li><li>B. Provide the parent of the student or the eligible student upon request with a copy of the education records which have been transferred.</li><li>C. Provide the parent of the student or the eligible student, upon request, with an opportunity for a hearing to contest the whole part of the record being transferred.</li></ul> <p>7.9 If a student is enrolled in more than one school or receives services from more than one school, the school may disclose information from the education records of the student to each other without obtaining the written consent of the parent of the student or the eligible student.</p> <p>8.0 The Delaware Valley School District may disclose personally identifiable information from the education records of a student to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.</p> <ul style="list-style-type: none"><li>A. The factors to be taken into account in determining whether personally identifiable information from the education records of a student may be disclosed under this section shall include the following:<ul style="list-style-type: none"><li>1. The seriousness of the threat to the health or safety of the student or other individuals.</li><li>2. The need for information to meet the emergency.</li><li>3. Whether the parties to whom the information is disclosed are in a</li></ul></li></ul>
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	<p>position to deal with the emergency.</p> <p>4. The extent to which time is of the essence in dealing with the emergency.</p> <p>8.1 The educational records of a student will be maintained in the school building in which the student is receiving instruction for most of the school day.</p> <p>8.2 The educational records for elementary school students will be maintained under lock and key in the elementary school in which the student is enrolled.</p> <p>A. The elementary level principal (or his designated appointees) is responsible for the security and maintenance of the pupil records of all the elementary level students.</p> <p>8.3 The educational records for middle school students will be maintained under lock and key in the Delaware Valley Middle School located on Routes 6 &amp; 209, Milford, Pennsylvania, or the Dingman-Delaware Middle School located on Route 739, Dingmans Ferry, Pennsylvania.</p> <p>A. The guidance counselors of the middle schools are responsible for the security and pupil records of all the students enrolled in the middle schools.</p> <p>8.4 The educational records for students enrolled in the Delaware Valley High School will be stored and maintained in the offices of the guidance counselors. The Delaware Valley High School is located on Routes 6 and 209, Milford, Pennsylvania. The respective guidance counselors are charged with the security and maintenance of the pupil records placed in their care. The pupil records will be kept under lock and key.</p> <p>A. Discipline records which a student accrues while a student at the Delaware Valley High School will be kept under lock and key in the office of the assistant principal who will keep, secure, and maintain such records as is necessary.</p> <p>B. Psychological reports which a student accrues while a student at the Delaware Valley High School will be kept under lock and key in the office of the counselor who will keep, secure, and maintain such records as is necessary.</p> <p>8.5 Copies of the Pupil Record Policy for the Delaware Valley School District may be obtained free of charge at the following locations:</p>
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	<p>A. The Office of the Superintendent Delaware Valley Administrative Offices 236 Route 6 and 209 Milford, PA 18337</p> <p>B. The Office of the Principal Delaware Valley Elementary School 244 Route 6 and 209 Milford, PA 18337</p> <p>C. The Office of the Principal Dingman-Delaware Elementary School 1355 Route 739 Dingmans Ferry, PA 18328</p> <p>D. The Office of the Principal Shohola Elementary School 940 Twin Lakes Road Shohola, PA 18458</p> <p>E. The Office of the Principal Dingman-Delaware Primary School 1375 Route 739 Dingmans Ferry, PA 18328</p> <p>F. The Guidance Office Delaware Valley Middle School 258 Route 6 and 209 Milford, PA 18337</p> <p>G. The Guidance Office Dingman-Delaware Middle School 1365 Route 739 Dingmans Ferry, PA 18328</p> <p>H. The Guidance Office Delaware Valley High School 252 Route 6 and 209 Milford, PA 18337</p> <p>8.6 The parent of a student or an eligible student who believes that information contained in the pupil records of the student is inaccurate or misleading or violates the privacy or other rights of the student may request that the Delaware Valley School District amend the pupil record.</p>
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	<p>8.7 The parent of the student or an eligible student shall, in writing, inform the building principal in which the student is enrolled that it appears to the parent of the student or the eligible student that there is an inaccuracy or misleading information that violates the rights of the students.</p> <p>8.8 The particular principal involved may amend the pupil record as requested by the parent of the student or the eligible student when the principal recognizes the appropriateness of amending the student's pupil record. The principal will not take more than thirty days from the time that the request was initiated until the pupil record is actually amended.</p> <p>8.9 If the principal decides to refuse to amend the educational records of the student in accordance with the request, the principal shall so inform the parent of the student or the eligible student of the refusal and advise the parent or the eligible student of the right to a hearing.</p> <p>9.0 The Delaware Valley School District, on request, will provide an opportunity for a hearing in order to challenge the content of a student's educational records to insure that information in the educational records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students.</p> <p>9.1 If the Delaware Valley School District, as a result of the hearing, decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, it shall amend the educational records of the student accordingly, and so inform the parent of the student or eligible in writing.</p> <p>9.2 If, as a result of the hearing, the Delaware Valley School District decides that the information is NOT inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the district shall inform the parent or eligible student of the right to place information in the educational records and/or setting forth any reason for disagreeing with the decision of the district.</p> <p>A. Any explanation placed in the pupil records under Section 8.8 of this section shall:</p> <ol style="list-style-type: none"> <li>1. Be maintained by the Delaware Valley School District as part of the educational records of the student as long as the record or contested portion thereof is maintained by the district, and</li> </ol> <p>B. Prior to the parent copying or receiving a copy of a record on more than one child, the district will delete, remove, or obscure from the record or its copy all personally identifiable information concerning any child</p>
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	<p>who is not the child or such parent.</p> <p>1. If the pupil records or the contested portion thereof is disclosed by the district to any party, the explanation shall also be disclosed to that party.</p> <p>9.3 The hearing required to be held by Section 8.6 and its subparagraphs will be conducted according to the following procedure which will include the following elements:</p> <p>A. The hearing shall be held within thirty days after the district has received, in writing, a request for a hearing from a parent of the student or the eligible student.</p> <p>B. The parent of the student or the eligible student will be given twenty-one days prior notice of the time, place, and date of the hearing, and parent of the student or the eligible student may request an alternate date, time, and place for the hearing at a time, place, and date mutually convenient to them and the district.</p> <p>C. The hearing may be conducted by any party, including an official of the Delaware Valley School District, who does not have a direct interest in the outcome of the hearing.</p> <p>D. The parent of the student or eligible student will be afforded a full and fair opportunity to present evidence relevant to the issues raised under Section 8.6 and its subparagraphs, and may be assisted or represented by individuals of his/her choice at his/her own expenses, including an attorney;</p> <p>1. The Delaware Valley School District will not provide an attorney, nor be required under Section 8.6 and its subparagraphs and Section 9.0 and its subparts to provide an attorney or any form of legal counsel to the parent of the student or the eligible student to represent him/her during the hearing to amend the pupil record.</p> <p>E. The Delaware Valley School District will make its decision in writing within thirty days after the conclusion of the hearing.</p> <p>F. The decision of the Delaware Valley School District will be based solely upon the evidence presented at the hearing and will include a written summary of the evidence and the reasons for the decision, a copy of which will be presented to the parent of the student or the eligible student.</p>
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	<p>9.4 Parent of a student or an eligible student, who believes there is a violation by the Delaware Valley School District, of the Family Educational Rights and Privacy Act, has the right to file a complaint to the Department of Health, Education, and Welfare.</p> <p>A. Complaints should be sent to the following address:</p> <p style="padding-left: 40px;">The Family of Educational Rights and Privacy Act Office (FERPA) Department of Education 400 Maryland Avenue, S.W. Mail Stop 6244 Washington, D.C. 20202</p> <p>9.5 The Delaware Valley School District recognizes the need to protect the confidentiality of personally identifiable information in the education records of exceptional children. This policy has been prepared so as to insure the privacy rights of both the parents and the exceptional child in the collection, maintenance, release and destruction of these records. Toward that end, this policy incorporates provisions from the REGULATIONS OF THE STATE BOARD OF EDUCATION ON PUPIL RECORDS (PA. CODE 22, CH 12), the FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1975, the CONFIDENTIALITY SECTION OF P.I. 94-142, and the CONFIDENTIALITY STANDARDS FOR SPECIAL EDUCATION (PA. CODE).</p> <p>9.6 All rights and procedures set forth in the pupil records policy of the Delaware Valley School District will also be accorded to all the parents of exceptional students and the exceptional students enrolled at any of the educational levels administered by the Delaware Valley School District.</p> <p>9.7 The following added provisions for the collection, maintenance, release, and destruction of educational records pertaining to exceptional students are included in order to comply with the REGULATIONS OF THE STATE BOARD OF EDUCATION ON PUPILS RECORDS (PA. CODE 22, CH. 12). THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, THE CONFIDENTIALITY SECTION OF P.I. 94-142, AND THE CONFIDENTIALITY STANDARDS FOR SPECIAL EDUCATION (PA. CODE).</p> <p>9.8 The Delaware Valley School District, upon request of a parent, will permit the parent to inspect, review, or copy an education record relating to the exceptional child or children of that parent when such record is collected, maintained, or used by the district. The district will comply with the request within 45 days after the request is received. When the request is made to the district, it will be complied with prior to a conference regarding an</p>
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<p>51 P.S. 20221 et seq</p>	<p>individualized education program and prior to a hearing relating to identification, evaluation, or placement of the child.</p> <p>A. The rights to inspect, review, or copy education records includes:</p> <ol style="list-style-type: none"><li>1. The right of the parent to request and receive from the district a reasonable explanation of the information contained in the education records of the child.</li><li>2. The right of the parent to be provided on request, with a copy of all or part of the education records of the child; the copy will be provided free of charge.</li><li>3. The right of the parent to designate a representative who will inspect, review, or copy the records.</li><li>4. The right of the parent to request a list of the types and the location of the child's educational records collected, maintained or utilized by the district.</li></ol> <p>B. Nothing in this section shall be construed to mean that the district is required to destroy education records.</p> <p>C. Prior to the destruction of the information, the district will send written notification to the parents which will inform the parents of their right to receive a copy of the material to be destroyed.</p> <p>D. The district will NOT destroy educational records containing information necessary for the education of a student who is enrolled or has been enrolled in an education program operated by the Delaware Valley School District.</p> <p>E. The right to request that information not be provided to military recruiting offices.</p> <p>9.8.1 At the discretion of the district for verification and record keeping purposes only the district may require all parents to put into writing:</p> <ol style="list-style-type: none"><li>A. Their oral requests to inspect, review, copy, or receive copies of educational records;</li><li>B. Their oral designations of a representative;</li><li>C. Their oral request.</li></ol>
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	<p>9.9 If any educational record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.</p> <p>A. A parent has the right to copy or receive a copy of an educational record originally containing information on more than one child.</p> <p>10.0 STUDENT ACCESS RIGHT – Whenever a student has attained eighteen years of age and is not a dependent of the parent according to Section 152 of the Internal Revenue Code of 1954, or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the student.</p> <p>10.1 ACCESS RECORD – The Delaware Valley School District will keep a record of the parties who have obtained access to those education records of a student that are collected, maintained, or used by the district. The access record will include the name of the party, the date of access, and the purpose for which the party was allowed to use the records.</p> <p>A. A parent shall have the right to inspect the access record kept for the education records of his/her child.</p> <p>B. A record of either the authorized employees of the Delaware Valley School District or the student’s parents, who have gained access to education records of a student, is NOT required.</p> <p>C. The Delaware Valley School District will maintain, for public inspection, a current list of the names and positions of those agents and employees of the district who are authorized by the district to have access to personally identifiable information.</p> <p>10.2 MAINTENANCE OF RECORDS – Employees of the Delaware Valley School District listed in Sections 8.1 to 8.4 inclusive and the subparagraphs and subparts contained in those sections are charged with the maintenance and security of the educational records of the exceptional students.</p> <p>10.3 DESTRUCTION – The Delaware Valley School District will inform the parents of a student when personally identifiable information is no longer relevant to and necessary for the provision of educational services to the student.</p>
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	<p>A. Upon request of the parents, information no longer relevant to and necessary for the provision of educational services to the student must be destroyed by the Delaware Valley School District. However, a written record of a student's name, address, phone number, grades, attendance records, classes attended, grade level completed, and year completed will be maintained for at least 100 years beyond the date the student attains age 21.</p> <p>B. Nothing in this section shall be construed to mean that the district is required to destroy education records.</p> <p>C. Prior to the destruction of the information, the district will send written notification to the parents which will inform the parents of their right to receive a copy of the material to be destroyed.</p> <p>D. The district will NOT destroy educational records containing information necessary for the education of a student who is enrolled or has been enrolled in an education program operated by the Delaware Valley School District.</p> <p>10.4 The release of personally identifiable information from the educational records of exceptional students will be in accordance with regulations and procedures set forth in Section 1.2 and Section 5.5 to 7.8 inclusive, including all the subparagraphs and subparts contained therein.</p> <p>10.5 Parents of exceptional students or an eligible student who is also an exceptional student has the right to request to amend the education records of the student in accordance with the procedures set forth in Section 8.5.</p> <p>10.6 The district will properly transmit copies of the special education and disciplinary records of a child with a disability who commits a crime, as per FERPA.</p> <p>10.7 Parents of exceptional students or an eligible student who is also an exceptional student has the right to a hearing to amend the educational records of the student as provided in Section 8.6 to 8.8 inclusive and including all the subparagraphs and subparts.</p> <p>A. Nothing in this section shall be interpreted to mean that the parent and the district may not by mutual agreement meet prior to either a parent request for a hearing or the hearing itself in order to discuss the concerns of the parent regarding the accuracy or inaccuracy of the records of the student.</p>
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