

PUPIL RECORDS

It shall be the policy of the Township of Franklin Board of Education to conform in all respects to the requirements of state and federal law regarding gathering, maintaining, and allowing accessibility to pupil records.

Pupil records shall contain only such information as is relevant to the education of the pupil, and is objectively based on the personal observations or knowledge of the originator of the record.

Parent/guardians shall be notified at least annually of their rights in regard to pupil records and have access to copies of the applicable state and federal laws and local policies available upon request. Such notification shall be in the language of the parent/guardian. Should the parental rights of one or the other parent be terminated by a court of appropriate jurisdiction, it is the responsibility of the person/agency having legal custody to notify the district that the right to review pupil records should be denied the person whose rights have been terminated.

The Board guarantees access to pupil records only to persons authorized, within ten (10) days of the request, but prior to any review of hearing conducted in accordance with state board of education regulations. Access shall be granted only to authorized organizations, agencies, or persons in accordance with the specifications and conditions prescribed by regulations.

A record may be withheld from a parent or student under 18 or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When such evidence is received, the district shall provide written notification to the parent or adult student within five days of the request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.

A nonadult pupil may assert rights of access only through his/her parent/guardian. However, nothing in these rules shall be construed to prohibit certified school personnel, at their discretion, from disclosing their records to nonadult pupils; or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the pupil or other persons.

The parent/guardian shall either have access to or be specifically informed about only that portion of another pupil's record that contains information about his/her own child.

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All anecdotal information and assessment reports collected on a pupil shall be dated and signed by the individual who originated the data.

The Superintendent shall require all pupil records of currently enrolled students to be reviewed annually by certified school personnel to determine the educational relevance of the material contained therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the pupil or educational situation. Such information shall be destroyed and shall not be recorded elsewhere nor shall a record of such deletion be made.

No liability shall attach to any member, officer or employee of any local Board of Education permitting access or furnishing pupil records in accordance with these rules and regulations.

When the parents/guardians' dominant language is not English, the district shall make every effort to:

1. Provide interpretation of the pupil record in the dominant language of the parent/guardian, or;
2. Assist parents/guardians in securing an interpreter.

A confidential file shall be maintained listing the names of disabled students on whose behalf the Board of Education has taken public action. Motions concerning disabled students made at public meetings shall be anonymous and referred to this confidential file. Access to this file shall be given to authorized school employees and officials of the New Jersey state department of education. Any further access to this information will be governed by current administrative code, including requirements for written requests by the parent for release of confidential information.

The Superintendent shall formulate administrative procedures to guarantee the safety and security of all pupil records, and to provide authorized persons and organizations access to these records at a convenient time and place within the limits stipulated by law. It shall be the responsibility of the Superintendent and the Board solicitor to keep abreast of all changes in state and federal regulations.

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Revised: December 16, 1987
Revised: September 19, 1990
Revised: January 15, 1992
Revised: April 21, 1993
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Legal References:

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| <u>N.J.S.A.</u> 18A:36-19 | Pupil Records; Creation, Maintenance and Retention, Security and Access; Regulations; Non-liability |
| <u>N.J.S.A.</u> 18A:36-19a | Newly Enrolled Students; Records and Identification |
| <u>N.J.S.A.</u> 18A:40-4 | Examination for Physical defects and Screening of Hearing of Pupils; Health Records |
| <u>N.J.S.A.</u> 18A:40-19 | Records and Reports of Tuberculosis Testing; Disposition; Inspection |
| <u>N.J.S.A.</u> 47:1A-1,-2 | Legislative Findings |
| <u>N.J.S.A.</u> 47:3-15 et seq. | Public Records |
| <u>N.J.A.C.</u> 6:3-6 | Student Records |
| <u>N.J.A.C.</u> 6:8-6.2(c)1,2 | Individual Student Improvement Plan |
| <u>N.J.A.C.</u> 6:20-1.1 | School Register |
| <u>N.J.A.C.</u> 6:28-1.1(n) | Student Records |
| <u>N.J.A.C.</u> 6:28-7.8 | Student Records for Out of District Placements |
| <u>N.J.A.C.</u> 6:29-1.4 | Records and Reports |
| <u>N.J.A.C.</u> 6:29-3.4 | Athletic Procedures |
| <u>N.J.A.C.</u> 6:15:3-2 | State Records Manual |

Federal Educational and Privacy Rights Acts, 20 U.S.C.A. § 1232 g

Regulations of the U.S. Department of Health, Education and Welfare, published in 45 C.F.R. 99 (June 17, 1976)

Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980

Cross References:

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| 3543.1 | Data Processing |
| 5124 | Reporting to Parents/Guardians |
| 5143.1 | Health Examinations and Immunizations |
| 6171.4 | Handicapped |