

STUDENTS	J
STUDENTS RECORDS ACCESS	JOB
	Page 1 of 4

Purpose

The purpose of this policy is to set forth guidance governing the protection of privacy of parents and students under applicable Federal and/or State Statutes. It is the policy of the Lincoln School Department to allow parents and eligible students access to certain educational records, and to obtain the written consent of said parents and eligible students prior to the release of certain educational records. Such access to and/or release of such educational records shall be governed by appropriate regulations and/or procedures established in conformity with Title 45 of the Code of Federal Regulations (C.F.R.) Part 99 and the Rhode Island Educational Bill of Rights (RI General Law 16-71), and other applicable federal and state statutes.

I. Student Record System

- 1) The student record system shall contain the following documents for each student:
- A. Permanent Record Folder
 - B. Attendance Register
 - C. Health Record
 - D. Special Education (if applicable)
 - E. 504 records (if applicable)

II. Security and Confidentiality Guidelines

- 1) The Lincoln School Department requires that the student record system be maintained in a secure and central location at the school for all students.
- 2) The Lincoln School Department requires that each school within the district follow the Family Educational Rights and Privacy Act of 1974 and the Rhode Island Education Bill of Rights, RI Gen. Laws § 16-71-1 et seq. which assures parents, or guardians, and students that student records are confidential and accessible.

III. Missing Persons Rights

- 1) The Lincoln School Department shall follow all State and Federal guidelines in dealing with requests for information on missing persons.

References

- RI Gen. Laws § 42-28.8-7 - School Records □ Flagging Required
- RI Gen. Laws §16-71-1 et seq. - Rhode Island Education Bill of Rights
- Family Educational Rights and Privacy Act of 1974
- Part B of the IDEA at 34 CFR 300.560-300.577I
- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794, 34 C.F.R. Part 104

Student Record System

- A. Permanent Record Folder
The Permanent Record Folder identifies the student by including the following data: student name, date of birth, age, sex, names of parent or guardian, resident address, telephone number, date enrolled, and date left. The Permanent Record Folder will compile the student's grades, standardized test scores, and extracurricular activities
- B. Attendance Register
The Attendance Register documents the names of all students in the district and records the daily attendance of each student.
- C. Health Record

STUDENTS	J
STUDENTS RECORDS ACCESS	JOB
	Page 2 of 4

The Health Record describes the student's general health history by including the following data: student's name, date of birth, sex, immunization dates, name of the family physician, surgery dates, injuries, results of vision and hearing tests, results of dental examinations.

D. Special Education Records (if applicable)

Under the Individuals with Disabilities Act (IDEA) special education records are records that relate to identification, evaluation, or placement of, or the provision of a free and appropriate public education. Records are obtained through the Office of Student Services by providing a written request and filling out the proper paperwork. Lincoln Public Schools will maintain Special Education records for seven years after the last date of service and then destroy the records in accordance with state law.

E. 504 records

Under the American Disabilities Act (ADA), a written record is provided to ensure access to regular education. For more information, please refer to 504 policy. 504 Records are obtained through the Office of Student Services by providing a written request and filling out the proper paperwork. Lincoln Public Schools will maintain 504 records for seven years after the last date of service and then destroy the records in accordance with state law.

References

- RI Gen. Laws §16-12-4 - Register of Pupils Reports Required by School Authorities
- RI Gen. Laws §16-21-9 - Health Examinations and Dental Screenings Reports Record
- Part B of the IDEA at 34 CFR 300.560-300.577I
- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794, 34 C.F.R. Part 104

Security and Confidentiality Guidelines

- A. The Permanent Record Folder will be located in the Main Office, Guidance Office, or other central location at the school.
- B. The Attendance Register for each student is maintained electronically in the student information system.
- C. The Health Record will be in the Nurse's Office, Main Office or other central location at the school.
- D. Parents, legal guardians, and students have the right to:
 - Inspect any and all education records pertaining to this child.
 - Inspect the part of a school record that directly pertains to their children (self) when more than one child is included in the information.
 - Call for a hearing to challenge the accuracy of the contents of the student's educational records.
 - Consent to or reject in writing the release of records.

For the purposes of this policy, Educational Records are defined as:

"all material that is incorporated into each student's cumulative folder and intended for school use or to be available to parties outside the school or school system, and specifically including, but not necessarily limited to identifying data, academic work, achievement level, attendance data, test scores, health data and verified reports of serious or recurrent behavior patterns."

Any person wishing to see or to receive a copy of their educational records should contact the school. The school must provide a copy of the school records within ten (10) days. Further

STUDENTS	J
STUDENTS RECORDS ACCESS	JOB
	Page 3 of 4

information, including information on the filing of complaints, can be obtained from the United States Department of Education "Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W. Washington, D.C. 20202-4605; or via email at FERPA@ED.Gov.

Any parent or guardian can ask for a review of student records. Custodial and non-custodial parents have the right to inspect educational records. Family Educational Rights and Privacy Act rights are given to both parents. The school may ask for proper parent or guardian identification. The school may assume that a parent has these rights unless there is contrary legal evidence.

Directory Information and Release of Secondary School Record Information to Armed Forces Recruiters and Institutions of Higher Education

In accordance with certain provisions of the "No Child Left Behind Act of 2001," the school district shall provide, upon request, to Armed Forces recruiters and representatives of institutions of higher education, the name, address, and telephone numbers of the district's students unless a student's parent has requested that such release take place only with prior written consent. This notice of the parental option shall be included in the annual education records notice provided to parents.

References

- Family Educational Rights and Privacy Act of 1974
- RI Gen. Laws §16-71-3 - Educational Records Review Rights
- Public Law 107-110 -Section 9528 Armed Forces Recruiter Access to Students and Student Recruiting Information

Missing Persons

The school district shall employ the following procedures when receiving a written request for information on missing persons:

- a. School personnel receiving the request shall immediately notify his or her superior.
- b. The superior shall notify the building principal who shall immediately notify the local police or the missing children information center (RI State Police).
- c. The school shall retain the original written request.

The school district shall employ the following procedures when receiving a missing person request by someone in person:

- a. School personnel receiving request shall immediately notify his or her superior.
- b. School personnel shall note the physical description of the person making the request.
- c. The local police or the missing children information center (RI State Police) shall be immediately notified.
- d. School personnel shall require the person making the request to fill out a form indicating: name, address, telephone, social security number, relationship to missing person. These forms will be provided at each school.

References

- RI Gen. Laws § 42-28.8-7 - School Records Flagging Required
- Commissioner's Decision: In the Matter of P. Doe v. Warwick School Committee (Parent is not entitled to a list of questions asked of class of students during the course of investigation of teacher misconduct where parent is entitled to and was given copy of daughter's responses to said questions.)
- RI Secretary of State Guidance on Permanent Electronic Records

STUDENTS	J
STUDENTS RECORDS ACCESS	JOB
	Page 4 of 4

- RI Secretary of State Guidance on Email Destruction
- RI Secretary of State Public School Records Retention Schedule

(This revised policy JOB is replacing policies JOA & JOA-R)

Revised Policy First Reading: April 11, 2022

Revised Policy Second Reading:

Revised Policy Adopted:

TOWN OF LINCOLN SCHOOL COMMITTEE, Lincoln, Rhode Island