

## JRA - STUDENT RECORDS AND ACCESS

The objective of the student record policy is to protect the rights and privacy of students and parents and to assure the welfare of the child.

This policy is not intended to determine what information shall be included in student records. However, student records are intended to include factual information and care should be taken to ensure that material placed therein shall meet those requirements.

The Superintendent shall develop such procedures as are necessary to comply with the federal "*Family Educational and Privacy Act*" (FERPA), the "*Health Insurance Portability and Accountability Act*" (HIPAA), and other applicable statutes governing student records.

It is the policy of the Board that the Principal of each school will be the custodian of all student records for that school.

Students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept.
2. The procedure for inspecting and copying records.
3. The right for interpretation.
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement.
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

Additionally, the district will notify parents annually of the district's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

The education records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, or school psychologist for his/her own use, and which are not available to others are exempt from this definition.

The school will require a prior written consent before information other than directory information may be divulged to third parties. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools which the student seeks to enroll. A school district in which a student is enrolled or is in the process of enrolling in may request the student's education records from any district in which the student was formally enrolled to ascertain safety issues in incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When the schools transfer records to new educational institutions, the schools must notify parents of the transfer and of their right to review and contest the material. An exception exists for material under court order. Parents must be notified of such order prior to release.

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his/her designee in response to an ex parte order in the connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in

**MILITARY RECRUITERS** - Military recruiters or institutions of higher learning shall have access to secondary school students' names, addresses, and telephone listings unless a secondary student or the parent of the student requests that such information not be released without prior written parental consent. The district shall notify parents of the option to make such a request and shall comply with any requests received.

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school.

Statutory/Regulatory/Policy/Handbook Cross References

Policy JRA-R (Procedures for Student Records and Access)  
Policy JRA-FORM (Third-Party Request for Student Records/Access)  
Policy JRA-FORM (First-Party Request for Student Records/Access)  
Policy JRA-FORM (First-Party Consent for Student Records/ Access)  
Policy JRA-R (Notice of Directory Information)  
Policy JRA-RR (Notification of Rights under FERPA)  
Policy JRA-FORMS (Objection to Release of Student Information)  
RSA 91-A:5 (Access to Public Records)  
Public Law 90-247 (Family Educational Right to Privacy Act of 1974)  
Public Law 104-191 (Health Insurance Portability and Accountability Act of 1996)  
No Child Left Behind Act, §9528  
Handbook (Referenced in Handbooks)

APPROVED: FIRST READING AUGUST 2005, NHSBA POLICY

PREVIOUS POLICY: April 19, 1994 – Student Records