



Policy of the Board of Trustees

J Series

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STUDENT RECORDS AND ACCESS

An accurate cumulative record shall be maintained on each student including "... but not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), attendance data, scores on standardized intelligence, aptitude and psychological tests, interest inventory results, health data, family background information, teacher or counselor observations and verified reports of serious or recurrent behavior patterns."

The North Country Charter Academy respects students' and parents' right to know, and follows these guidelines, consistent with federal, state, and local laws and recommendations.

1. The Principal shall be the records manager for the school and shall assume responsibility for maintaining and preserving confidentiality of school records. The records manager shall be responsible for reviewing and deleting information in each cumulative folder in accordance with school guidelines.
2. Information of any kind other than directory information will not be disclosed without prior written consent of the parent or eligible student, except as permitted by law.
3. Broad, comparative results of standardized tests may be reported in general terms to the public.
4. Records, not including identification, may be released for statistical studies by the records manager with the knowledge of the Principal and the consent of the Board of Trustees.
5. Information from records of individual students will be available to juvenile court when requested in writing by proper officials with the parent, guardian, and/or student over eighteen years being informed in writing.
6. Parents and eligible students wishing to inspect student records must file a written request to do so with the Principal. Such inspection shall take place during regular school hours or at reasonable times during vacation periods, but not during weekends or holidays.
7. Single copies of appropriate records shall be made available in a reasonable length of time, but in no case more than forty-five (45) days after request has been made in writing to the records manager. The records may be inspected by the parents, guardians, and all students once they reach eighteen in the presence of the records manager or his/her designee.

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8. The school shall make a written record of the disclosure of all student information, except directory information, and such record will be kept in the student's file. This record of disclosure is also available for inspection by the parent or eligible student. A record of inspections will also be kept.
9. Amendment of Records – The parent or eligible student may request that the records be amended in respect to information alleged to be inaccurate, misleading or in violation of the privacy rights of the student. Such request shall be in writing, dated, and addressed to the Principal.
10. In the event that the school decides to refuse the request to amend, the Principal shall inform the parent or eligible student, and shall advise said person of his/her rights to "a hearing to challenge the content of their child's school records, to ensure that the records are not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein."
11. After a student leaves the school, records shall be kept on file for three (3) years; except that records for students who have been enrolled in special education programs shall be maintained until the individual is thirty-five (35) years old.

STUDENT RECORDS

This policy is adopted pursuant to the federal Family Educational and Privacy Act of 1974 (FERPA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and other applicable statutes governing student records so as to ensure a uniform policy of access to student records.

1. Access to said records shall be furnished to the following persons:
 - a. Authorized school personnel, counselors, teachers of that student, and administrators.
 - b. The student's parent or legal guardian.
 - c. The student, if over 18 or attending an institution of higher learning and not enrolled in the school.
 - d. The Comptroller General of the United States, the administrative head of a state or federal educational agency and authorities of New Hampshire State Educational Agencies and the authorized representatives of the above.
2. Other Third Parties

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Access to such records shall be furnished to others only upon the written consent of the parents of the student, the student himself if over eighteen (18), or in response to a judicial subpoena upon notice to the student or his/her parents or guardians.

3. Review of Records

To ensure proper interpretation and understanding of information contained in student records or personally identifiable records, the Principal must be present to provide assistance at the time of the inspection of such records including psychological tests.

If psychological studies or background information is sought, the Principal shall arrange for the presence of a school psychologist at the time of inspection to interpret, explain, or assist in the understanding of such information.

4. Confidential Records

a. Records pertaining to child abuse, law enforcement activities, medical records, and investigation of criminal acts, shall be maintained in separate files by the building Principal or a designated representative. Such records shall be deemed confidential information under the provisions of the New Hampshire Revised Statutes Annotated Education Laws Chapter 91-A:5 Access to Public Records which pertain to personal privacy and law enforcement investigatory files and shall not be released to any person or agency except upon the instruction of the Principal. In no event shall such records be used as the basis for the preparation of reports or recommendations on an individual basis.

Such records, when kept, shall only be used to ensure compliance with the statute governing child abuse, to protect the property and persons of the students and personnel of the school, to make necessary investigations of actual or suspected criminal activities and to render assistance as necessary to law enforcement officers and agencies.

Student medical records shall be governed by Policy GBJ - Health Insurance Portability and Accountability Act.

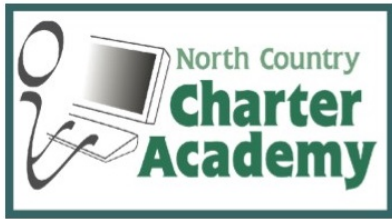
b. Unverified data of serious or recurrent behavior patterns will not be included in records to which access will be given nor shall such data be used in reports or recommendations made to any individual or agency outside the school.

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- c. The term "educational records" does not include records of institutional, supervisory, and administrative personnel ancillary thereto which are in sole possession of the maker thereof and which are not accessible or revealed to any other person.
- d. At the beginning of each school year, parents will be given written notification through the Student/Parent Handbook or other means of publication of the categories of information, which have been designated as "directory information" with respect to each student attending the school. By the third Monday following the opening of school in September, a parent or student over 18 years of age shall notify the Principal of their desire that any or all of the information designated should not be released without the parent or student's prior consent.

"Directory Information" relating to a student includes the following:

1. The student's name, address, date of birth
 2. Major field of study
 3. Participation in officially recognized activities and sports
 4. Weight and height of members of athletic teams
 5. Dates of attendance
 6. Awards and honors received
5. Procedures Governing Access
- a. The parent, student, or guardian shall sign a request form.
 - b. Permissible third parties shall sign a request form.
 - c. In cases involving a third party, the student over 18, parent or guardian shall sign a consent form furnished by the Principal. Forms used will identify the records to which access is sought and will be placed in the student's file as a record of the request.
 - d. Access will be refused or granted depending upon the propriety of the request and validity of the request and consent forms.
 - e. If the request for access is refused, and the party who requested access objects to said refusal, said request will be referred to the Principal for a final ruling.
 - f. Custodians of student records:

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The Principal shall be the custodian of all student records, except in the case of Special Education records, which shall rest in the possession of the sending district's Principal of Special Education.

6. Challenges to Records

The parent(s), guardian(s) and/or student 18 years of age or older shall have an opportunity for a hearing to challenge the content of the school record, to ensure the records are not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein.

- a. The parent(s), guardian(s) of a student under 18, or a student over 18, shall have an opportunity to identify in writing, addressed to the Principal, the record or records which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, together with a statement of the reasons for the challenge to the record.
- b. A response by the Principal shall be made within fourteen (14) days indicating he/she finds the challenged record to be inaccurate, misleading or otherwise inappropriate and that it will be corrected or deleted; or that he/she finds no basis for correcting or deleting the records in question. The parent or student will be given an opportunity to refer the request on to the Board of Trustees.
- c. If the request is again denied, and the party requesting access is still not satisfied, a hearing may be requested in writing to the Principal.
- d. A hearing, if requested, shall be held within a reasonable period of time, but in no case more than forty-five (45) days after receipt of such a request by the Principal. The parent(s), guardian(s) or student 18 years or older, should be given the right to present evidence in support of his/her belief that the record is erroneous and to rebut any evidence submitted in support of the record. A written decision should be rendered within thirty (30) days stating the disposition of the challenge to the record and the reasons for the determination. Although the hearing may be informal in nature, the processes used shall ensure fairness and impartiality.

In cases involving a constitutionally protected right, the School District attorney should be consulted with respect to the hearing procedure and the degree of formality required.

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- e. A fee shall be charged for copies made of records authorized to be disclosed at a rate of twenty-five (25) cents per page or fraction thereof.

LEGAL REF: Family Educational and Privacy Act of 1974 (FERPA)
Health Insurance Portability and Accountability act of 1996 (HIPAA)