Wood County Board of Developmental Disabilities

PROCEDURE

Procedure #:

02-WLS-ALL-0159(CR)

Subject:

Student Files/Records

Effective Date:

Approvals/Date:

11-02-1987

Last Revision:

06-29-2012

Person Responsible:

Director of Children's Services

Superintendent, WCBDD

Date

Department Director

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PROCEDURE

The following definitions will apply:

FERPA - Family Educational Rights and Privacy Act - Federal law that protects the privacy of student education records.

- 1. The Wood Lane School office will keep a complete file on every student. Any records or files to be reviewed by authorized persons shall be signed out and reviewed in the office area. Teachers are required to keep for each student a file containing assessments, individual programs, progress updates, parental response to releases for community based instruction and pictures, parent correspondence, and other relevant information.
- 2. The cumulative student file and health record will be kept in the school office/nursing clinic and shall contain, but is not limited to, the following: a) name and date of birth; b) name, address (home and/or business), and telephone number of parent(s); c) application for enrollment; d) birth certificate; e) proof of immunization; f) emergency data information; g) physician's report; h) multifactored evaluation, l) physician's/dentist's authorization and written instructions to administer medication; j) list of medications, food supplements, modified diets, or fluoride supplements currently being administered; k) list of chronic physical problems and history of hospitalizations; l) list of diseases child has had; m) attendance records; n) IEP and o) behavior support program.
- 3. Student records shall contain only that information which is educationally, habilitatively, and or rehabilitatively relevant.
- 4. Student records will be kept in confidence and only those persons who are authorized to do so shall be permitted to review them. Authorized persons are as defined in the <u>Student Records Are Confidential Notice</u>. (see attached). This notice shall be posted on every file cabinet and reviewed on staff orientation day, otherwise student records will only be released with written authorization from the parent or student 18 years of age or older.
- 5. Parents and students over age 18 may review/inspect their records, upon written request to the Director of Children's Services. The school will arrange for the review within 45 days of receipt of the request.
- 6. Parents and students over age 18 may request to amend a record believed to be inaccurate or misleading, based on written request to the Director of Children's Services, identifying the part of the record they want changed.
- 7. If the Director of Children's Services opts not to amend the record as requested, the school will notify them of the decision and advise them of their right to a hearing regarding their request.
- 8. The hearing opportunity shall start with Grievance/Due Process procedure #02-ALL-ALL-0206(CR) at the Board level (step 11).
- 9. Student records shall be retained throughout the service delivery period. At the time services are terminated records may be condensed for permanent retention/storage.
- 10. When a change of placement occurs, (iie; LEA, County Office of Education, etc.) original file/student records shall be forwarded to designated placement/agency. They shall include but are not limited to the following: a) birth certificate; b)proof of immunization c) multifactored assessment; d) attendance records; e) IEP; and f) behavioral program. Copies of "a through f" shall be retained for permanent retention/storage.
- 11. Parents and students over age 18 have a right to file a complaint with the U.S. Department of Education regarding failure of the school to comply with FERPA.

References:

FERPA (20 U.S.C. § 1232g; 34 CFR Part 99)

Administrative Code 3301-37-08 Procedure #02-ALL-ALL-0206

Attachment - Student Records are Confidential

dl/procedure0159

NOTICE

STUDENT RECORDS ARE CONFIDENTIAL

Statute, standards, and professional ethics require that all records and information regarding students be kept in strictest confidence and released only with the prior informed consent of the student or student's parent/guardian. Maximum consideration will be given to the privacy of student information and the effect which its release may have on the student or his family. The Board will uphold all the regulations regarding personal data confidentiality, as stated in P.L. 94-142, HB 455, MHR 103-G, FERPA 3301-51-02 Department of Education. Therefore, before any information is released, the following procedures will be strictly followed:

The following persons only shall be permitted to inspect and review records concerning a student:

- 1. The parent or guardian of a student under the age of eighteen (18).
- 2. The parent or guardian of a student over the age of eighteen (18), if the parent has been established legal guardian of the student.
- 3. The student, if over the age of eighteen (18) and is not held in legal guardianship of another.
- 4. A representative of the LEA of residence of the student.
- 5. Wood Lane employees, including instructors and case manager, who have been assigned classroom, special services, or counseling responsibility to the student or his family.
- 6. Representative of public or private service agencies, who present a valid release of information form signed by the parent/guardian or student.
- 7. Authorized representatives of the Department of Education.
- 8. Authorized representatives of the Department of Developmental Disabilities.
- 9. A duly authorized court official in compliance with a court order or subpoena.