

### STUDENT RECORDS AND ACCESS - FERPA

This student record policy is intended to protect the rights and privacy of students and their parents.

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

The Principal shall be the custodian of all student records at Lafayette Regional School. For purposes of this policy, student records include all materials directly related to a student that the school maintains except records and notes maintained by a teacher, the Principal, school nurse, or school psychologist for his/her own use, and which are not available to others.

Student records shall be available for review by a parent/guardian in the presence of the Principal or his/her designee.

Lafayette Regional School will require prior written consent from a parent/legal guardian before a student's record, other than directory information, may be divulged to a third party. Exceptions to this rule include:

- School officials who have a legitimate educational interest for viewing a student's records. "Legitimate educational interest" refers to school officials or employees who need to know information in a student's education record in order to perform the employee's employment responsibilities and duties.
- Other schools into which a student is transferring or enrolling, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. This exception continues after the date that a student has transferred.
- Health and safety emergencies.

The District may disclose student records and student information without consent to the above parties on the condition that the recipient agrees not to permit any other party to have access to the released information without the written consent of the parent/legal guardian of the student.

Within the first month of school, the District will publish notice that a parent/legal guardian has the right to access his/her child's student record. This notice shall include:

- The rights of a parent/legal guardian to inspect and review his/her child's student record.
- The intent of the District to limit disclosure of information in a student's record.
- The right of a parent/legal guardian to seek to correct parts of his/her child's student record that he/she believes to be inaccurate, misleading, or in violation of student rights. This includes a hearing to present evidence that the records should be changed if the District decides not to alter them in accordance with the parent/legal guardian's request.
- The right of any person to file a complaint with the United States Department of Education if the District violates FERPA.

Details documenting the transfer of records shall be kept in the office.

If a parent/legal guardian would like to inspect and review his/her child's student record, the Principal will make the needed arrangements as soon as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed within fourteen (14) days, that the request for access is first made, as required under RSA 189:66, IV.

The Principal is responsible for record maintenance, access and destruction of all student records. All school district personnel having access to records shall place great emphasis upon privacy rights of students and parents. All entries into student records must be dated and signed by the person accessing such records. The Principal will ensure that all records are maintained in accordance with applicable retention schedules as may be established by law.

The District will maintain an accurate record of all requests to disclose information or to permit access to a student's education records and of the information it disclosed and the person(s) to whom it permits access.

Legal References:

RSA 91-A:5,III, Exemptions, Pupil Records

RSA 189:1-e, Directory Information

RSA 189:66, IV, Data Inventory and Policies Publication

20 U.S.C: 1232g, Family Educational Rights and Privacy Act

34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations

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