

**CODIFICATION REFERENCE NUMBER:** M 8330

**DATE:** October 13, 1997

**PUPIL RECORDS**

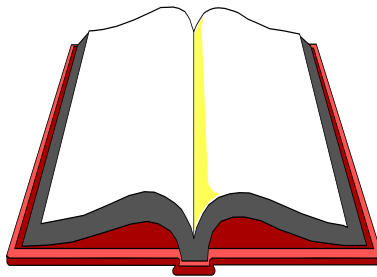
**RESPONSIBILITY:**

The Director of Curriculum and Instruction, the principals and their designees will be responsible for the development, implementation, monitoring, and evaluation of the Bernards Township "Guidelines for Relevant Recordkeeping."

**PROCEDURES:**

See Attached Procedures

**GUIDELINES FOR RELEVANT  
RECORDKEEPING  
IN BERNARDS TOWNSHIP**



**GUIDELINES FOR RELEVANT RECORDKEEPING  
IN BERNARDS TOWNSHIP**

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**DEFINITIONS**

**ACCESS** - The right to view, to make notes, and/or to have a reproduction of the Pupil Permanent Record made.

**ACTIVE RECORDS** - Authorized Pupil Records of students currently enrolled in the Bernards Township School System.

**ADULT PUPIL** - A person who is the subject of the record and is eighteen years of age or older, is attending an institution of postsecondary education, or is an emancipated minor. The Superintendent may determine that a minor pupil is emancipated on the pupil's presentation of evidence indicating that he or she is financially independent.

**AUTHORIZED RELEASE FORM** - Form signed by parent or adult pupil authorizing release of transcript and/or pupil record.

**CENTRAL FILE** - The primary student file housed in the school of the student's present attendance.

**CLASSIFICATION** - Designation of a pupil as handicapped by the Office of Special Services in accordance with N.J.S.A. Title 18A Chapter 46 New Jersey Administrative Code Title 6 - Chapter 28 Special Education.

**EXTRA-CURRICULAR ACTIVITIES** - Includes non-high school academic courses, hobbies, interests, part-time and summer employment, honors and awards, membership in clubs, or organizations (not restricted to school organizations), participation in intramural or interscholastic sports, leadership positions. This information is provided by the pupil and is made part of the Permanent Record Card at the end

of grade 11, and updated in grade 12.

**HEALTH RECORDS** - Includes immunizations, health appraisals made yearly K-12, and physicals for pupils involved in interscholastic sports.

**INACTIVE RECORDS** - Authorized and mandated Pupil Records of students formerly enrolled in the Bernards Township School system and since either graduated, withdrew without a diploma, or transferred to another school.

**PARENT** - A person who is the natural or adoptive parent or legal guardian, custodial or noncustodial, whose parent or legal guardian rights have not been terminated by a court of competent jurisdiction; legal guardian; foster parent or legal guardian; approved parent or legal guardian surrogate; or legal custodian of the pupil who is the subject of the record and includes only such persons for whom access is authorized. In the event parent or legal guardian rights have been terminated or limited by a court of competent jurisdiction, the pupil's legal custodian must so notify the custodian of the pupil's file, by submission of appropriate legal documentation, in order that improper access to the pupils records is not granted.

**PARENT SURROGATE(S)** - Means an individual or individuals approved by the district board of education in accordance with N.J.A.C. 6:28-2.2 to act on behalf of a pupil whose parents are not available to assure the pupil's educational rights.

**PERMANENT RECORD CARD** - Includes Pupil Record items 1,A 1a through 1g and 1,B 1a and 1,B, 1b. See page 4.

**PUPIL** - A person who is enrolled in a public school.

**PUPIL RECORD** - Any information in tangible form regarding an individual pupil enrolled or formerly enrolled in our District, regardless of its subject, source, or physical form, that is maintained for the purpose of review by a person other than the originator of the record. Information recorded by a teaching staff member solely to aid memory is not a pupil record for the purpose of this regulation; at the time such information is reviewed by another person, it becomes a pupil record.

**REFERRAL** - Written request to the Office of Special Services for investigation of a specific pupil, who has demonstrated academic or social problems. Referrals may be initiated by parents, teachers, guidance personnel, school nurses, administrators, Special Services personnel, medical consultants, or the pupil.

**SPECIAL EDUCATION PUPIL** - Student designated as handicapped by the Office of Special Services in accordance with N.J.A.C 6:28.

**SPECIAL SERVICES CLASSIFICATION PACKAGE** - Shall include psychological evaluation, social worker's evaluation, educational evaluation, medical reports, team conference reports, the referral form, other reports required by N.J.A.C. 6:28, and materials deemed necessary to the classification.

**STANDARDIZED TEST RESULTS** - Includes those standardized tests administered by school personnel and authorized by the Bernards Township Board of Education and those standardized tests related to college admission and authorized for inclusion on the Pupil Record by virtue of the pupil's designating the high school code number as a recipient of the test scores.

**STUDENT DIRECTORY INFORMATION** - The student's name, address, telephone number, grade level, date and place of birth, dates of attendance, self-reported participation in officially recognized activities--secondary school, awards, school last attended, and other similar information which may be released to recruiters or the newspapers unless the adult pupil or parent objects in writing.

**TRANSCRIPT** - Photocopy of the Permanent Record Card, signed and dated by authorized school personnel, and prepared for a specific recipient.

**I. ITEMS THAT CONSTITUTE PUPIL RECORDS**

Information collected on pupils is either mandated by the State of New Jersey or authorized by the Bernards Township Board of Education, elected representatives of

pupils, parents or guardians. Information is divided into that which is kept permanently and that which is kept for a temporary duration of time.

A. Items mandated by the State of New Jersey

1. Permanent

- a. Minimum essential identifying data: Name, gender, social security number, U.S. citizenship, address, home telephone number, date of birth, school last attended, names of parents or guardians, business phone numbers of parents or guardians, younger and older siblings.
- b. Attendance summary
- c. Pupil records
- d. Final grades earned
- e. Grade assignment
- f. New Jersey credits earned
- g. Class rank and grade point average
- h. Transcripts received from sending school for transfer pupil
- i. Health records
- j. Authorization for release of records
- k. Records required and created in the identification, referral, evaluation, and classification of educationally disabled pupils and the provision of special education and/or related activities pursuant to Policy No. 2460
- l. All other records required by the State Board of Education.

Any school records with HIV identifying information will be maintained in accordance with standards set forth in N.J.S.A. 26:5c.

2. Temporary

- a. Special Services classification package

B. Items authorized by the Bernards Township Board of Education

1. Permanent

- a. Standardized test results
- b. Extra-curricular activities
- c. Report cards, K-3

- d. Selected method of reporting class rank
2. Temporary
    - a. Report cards, Grades 4-12
    - b. Referrals to Special Services & classification package
    - c. Correspondence
    - d. Suspension notices
    - e. Unsatisfactory work notices
    - f. Pupil commendation notices
- C. Student directory information
1. Name
  2. Address
  3. Telephone number
  4. Date and place of birth
  5. Dates of attendance
  6. Self-reported participation in officially recognized activities-secondary school
  7. Awards
  8. School last attended
  9. Other similar information
- D. Pupil records shall contain only such information as is relevant to the education of the pupil, and is objectively based on the personal observations or knowledge of the originator of the record.
- E. All anecdotal information and assessment reports collected on a pupil shall be dated and signed by the individuals who originated the data.
- F. The Board will annually notify parents and adult pupils in writing of their rights in regard to pupil records and pupil participation in educational, occupational, and military recruitment programs. Our Board of Education shall make every effort to notify parents and adult pupils in their dominant language. Copies of the applicable State and Federal laws and local policies shall be made available upon request.

School personnel shall provide the parent or adult pupil a 10-day period to submit a written statement to the Chief School Administrator prohibiting the school personnel from including any or all types of information about the student in any student information directory before allowing access to such directory and school facilities to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1.

- G. When records are stored in a computerized system, computer programmed security blocks are required to protect against any security violations of the records stored therein. To guard against the loss of computerized pupil records, an updated duplicate copy of the pupil records must be kept.
- H. The school records of a transferred pupil will be requested within two weeks of the pupil's enrollment.
- I. Proper identification, such as a certified copy of the pupil's birth certificate, shall be requested at the time of enrollment in a new school district.

## **II. HOUSING OF RECORDS**

- A. All active records of a pupil mentioned in I, except Health Records, are housed in locked files as follows:
  - 1. High school pupils - in the counselor's office
  - 2. Middle school pupils - in the school's central office
  - 3. Elementary school pupils - in the school's central office
  - 4. Special Education pupils - in the Special Services office
  - 5. When records are maintained in different locations, a notation in the central file as to where such other records may be found is required.
- B. All active Health Records are housed in locked files in the respective nurse's office.
- C. Annually, all Ridge graduates' Permanent Records will be microfilmed and all



developed microfilm shall be stored in the Board of Education Office.

- D. All inactive records of graduates, dropouts or transfers shall be:
  - 1. Housed in locked files in the central office of the school the pupil last attended.
    - a. K-8 five years after date of attendance the inactive records will be housed in the Board of Education office.
    - b. 9-12 Fifteen years after the last date of attendance the inactive records will be housed in the Board of Education office.
  - 2. All inactive Special Services records shall be housed in the Special Services Office in locked files until deemed appropriate for destruction.

### III. INSPECTION OF STUDENT RECORDS

No liability shall attach to any member, officer or employee of any local board of education permitting access or furnishing pupil records in accordance with these rules and regulations.

#### A. Guideline

- 1. The Administrators or the Guidance Counselors will guarantee access to a student's record to:
  - a. The parent(s), legal guardian(s), or parent surrogate(s) of a pupil under the age of 18, and the pupil who has the written permission of such parent(s) guardian(s) or surrogate(s). However, nothing in these rules shall be construed to prohibit certified school personnel, in their discretion, from disclosing pupil records to non-adult pupils; or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the pupil.
  - b. The adult pupil, and the pupil's parent who has the written permission of such pupil, except that the parent shall have access without consent of the pupil as long as the pupil is financially dependent on the parent and enrolled in the public school system or if the pupil has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult pupil may not disclose information contained in the adult pupil's record to a second or third party without the consent of the

- adult pupil.
- c. The pupils of at least 16 years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.
  - d. School personnel who have assigned educational responsibility for the pupil. Officials of other district boards of education within the State of New Jersey in which the pupil is placed, registered or intends to enroll.
  - e. Accrediting organizations in order to carry out their accrediting functions.
  - f. The Commissioner of Education, and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.
  - g. Organizations, agencies and individuals outside the school upon the presentation of a court order.
  - h. Bonafide researchers who explain in writing the nature of the research project and the relevance of the records sought, and who satisfy the chief school administrator that the records will be used under strict conditions of anonymity and confidentiality. Such assurance must be received in writing by the chief school administrator prior to the release of information to the researcher.
  - i. Division of Youth & Family Services when the youth is under investigation (N.J.S.A. 9:6-8.40).
  - j. All appropriate requests will be honored within 10 days, but prior to any review or hearing conducted in accordance with the State Board of Education regulations.
  - k. The parent or adult pupil shall either have access to or be specifically informed about only that portion of another pupil's record that contains information about his or her own child or him or herself.
2. The chief school administrator or his or her designee of the school district of last attendance shall, upon request, provide a parent(s) or an adult pupil with a copy of the records disclosed to other educational agencies or institutions.
  3. A record may be withheld from a parent of a pupil under 18 or from an adult pupil only when the local education agency obtains a court order or is provided with

evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court order may be withheld. When the local education agency has or obtains evidence of such court order the parent or adult pupil shall be notified in writing within five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.

B. Procedure

1. No pupil record shall be altered or destroyed during the time period between a written request to review the record and the actual review of the record.
2. Authorized organizations, agencies and persons from outside the school whose access requires the consent of parent or adult pupil must submit their request in writing to view the records, together with any required authorization, to the chief school administrator, or his/her designee.
3. An appointment to examine the school record, to take place no later than ten days from the date of request shall be set up with either:
  - a. The school principal or designee.
  - b. The student's counselor.
  - c. The Supervisor of Special Services or designee--when applicable.
4. The chief school administrator or his/her designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage or loss.
5. All examinations of the pupil's records by persons who do not have assigned educational responsibility of the pupil shall be recorded in compliance with N.J.S.A. 18A:3619.
6. When the parent's or adult pupil's dominant language is not English or the parent or adult pupil is deaf, the district board of education shall provide interpretation of the pupil record in the dominant language of the parent or adult pupil.
7. If the school principal plans to withhold any part of the record from a parent or

adult pupil, he shall notify the parent or adult pupil within 5 days that access to the record has been denied. (See V Rights)

8. The district will provide reproduction of student records without charge as follows:

Transcripts and supporting data as is considered reasonable by the Guidance Chairperson and/or the school Principal.

Classification packages as determined by the Supervisor of the Child Study Team.

Requests for copies of records that go beyond the above guidelines shall be subject to the following reasonable scale:

For the first 10 pages ..... \$.50 per page  
For the next 10 pages ..... \$.25 per page  
For additional pages..... \$.10 per page

#### **IV. DISSEMINATION OF STUDENT RECORDS**

##### **A. Guideline**

The administrators or the Guidance Counselors will release a copy of a pupil's records as follows:

1. Complete Student Records - to:
  - a. Organizations, agencies or persons outside the school pursuant to a court order of which the parent(s) or adult pupil have been given notice by the school district.
  - b. Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.
  - c. Any public school for purpose of Special Education pupil placement.
  - d. Any source authorized in writing by the parent(s) or adult pupil.
2. Transcript - to:

- a. Officials of other public school districts, county boards of special services, school districts, jointure commissions, educational services commissions, and state operated special education programs within the State of New Jersey in which the pupil is registered or intends to enroll.
    - (1) Mandated material - upon notification of the parent(s) or adult pupil.
    - (2) Authorized material - upon written permission of the parent(s) or adult pupil.
  - b. Officials of schools of post secondary education or of private elementary or secondary schools to which a pupil is applying--upon written authorization of the parent(s) or adult pupil.
  - c. Organizations, agencies, and persons from outside the school if they have the written permission of the parent(s) or adult pupil.
  - d. Pupils at least 16 years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.
  - e. The adult pupil and the pupil's parent(s) or guardian(s) who have the written permission of such pupil, except that the parent(s) or guardian(s) shall have access without consent of the pupil as long as the pupil is financially dependent on the parent(s) or guardian(s) and is enrolled in the public school system; or if the pupil is legally incompetent.
3. Student Directory Information--to educational, occupational, and military recruiters.

## B. Procedure

1. Complete Student Record
  - a. Dissemination by court order or to official of other public school districts.
    - (1) The parent(s) or adult pupil shall be given at least three days notice of the name of the requesting agency and the specific records requested.
    - (2) Only those records requisite to the specific purpose shall be disclosed.
  - b. Parent(s) or the adult pupil may request a copy of all materials disseminated; records shall be disseminated only after parent(s) or adult

pupil has signed a **Release of Information** form.

2. Transcript
  - a. Officials or other public school districts in which the pupil intends to enroll must submit request for transcript in writing.
    - (1) Parent(s) are given at least three days notice of the request.
    - (2) Parent(s) or the adult pupil may request a copy of the transcript sent.
  - b. Parent(s) or the adult pupil shall authorize in writing, the release of the transcript to:
    - (1) Post secondary schools to which the pupil is applying.
    - (2) Private elementary or secondary schools to which the pupil is applying.
    - (3) Organizations, agencies and persons outside the school.
3. Educational, occupational, and military recruiters will have access to the student directory information pursuant to N.J.S.A 18A:36-19.1, provided that an adult pupil has not requested in writing to the chief school administrator that he/she be excused from participating in all recruitment programs.
4. All information provided to organizations, agencies and persons from outside the school if they have the written consent of the parent(s) or adult pupil shall not be transferred to a third party without the written consent of the parent(s) or adult pupil.
5. Secretarial and clerical personnel under the supervision of certified school personnel shall be permitted access to those portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine tasks. Access shall be limited only to those pupils files which staff are directed to enter or record information and shall cease when the specific assigned task is completed.
6. The Board of Education, in order to fulfill its legal responsibilities as a board, will have access through the chief school administrator or his or her designee to information contained in a pupil's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult pupil.
7. Any dissemination of a pupil's records shall be recorded on the Dissemination Log.

8. A pupil's records will be sent to the school district to which the pupil transfers within ten days of the new district's verification of the transfer, in accordance with State Board rules.

## **V. RIGHTS OF APPEAL FOR PARENT(S) AND ADULT PUPILS**

### **A. Guideline**

Pupil records are subject to challenge by parent(s) and adult pupils on grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies and persons. The parent or adult pupil may seek to :

1. Expunge inaccurate, irrelevant or otherwise improper information from the pupil record.
2. Insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records.
3. Request an immediate stay of disclosure pending final determination of the challenge procedure as in this guideline. (Section B)

### **B. To appeal, the parents, or adult pupil, must notify the school principal and/or the Supervisor of Special Services in writing, of the specific issues relating to the pupil record.**

1. Within 10 days of notification, the school principal and/or Supervisor of Special Services shall meet with parent(s) or adult pupil, to review the issues set forth in the appeal.
2. If the matter is not satisfactorily resolved, the parent(s) or adult pupil, may appeal the decision to the superintendent. Within 10 days, the superintendent or his designee shall arrange a meeting to review the issues set forth in the first appeal.
3. If the matter is not satisfactorily resolved, the parent(s) or adult pupil, may appeal the decision to the local school board. A decision shall be rendered within 20 days.
4. The decision of the local school board may be appealed to the Commissioner of Education. Pursuant to N.J.S.A. 18A:6-9 and rules adopted in accordance with such statute. At all stages of the appeal

process, the parent(s) shall be afforded a full and fair opportunity to present evidence relevant to the issue.

5. A record of the appeal proceedings and outcome shall become a part of the pupil's record with copies made available to parent(s), or adult pupil.
- C. Appeals relating to the pupil of educationally handicapped pupils shall be processed in accordance with the requirements of N.J.A.C. 6:28-1.1 et seq.

## **VI. REVIEW - PRESERVATION - DISPOSITION**

The chief school administrator shall require all pupil records of currently enrolled students to be reviewed annually by certified school personnel to determine the educational relevance of the material therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the pupil or educational situation except that prior notice must be given for classified students in accordance with N.J.A.C. 6:28. Such information shall be destroyed and shall not be recorded elsewhere nor shall a record of such deletion be made.

- A. Mandated by New Jersey Department of Education.
1. Special Services classification package after no longer deemed educationally appropriate by Office of Special Services.
- B. Authorized by the Bernards Township Board of Education.
1. Report Cards
    - a. Grades 4 - 6 at end of 8th grade
    - b. Grades 7 & 8 at the end of 9th grade
    - c. Grades 9 - 12 after graduation and/or leaving school.
  2. Referrals to the Office of Special Services upon Special Services disposition, graduation and/or leaving the school district. All referral materials are removed from the student record and returned to the Office of Special Services where educational relevancy is determined.
  3. Correspondence - upon graduation and/or leaving the school district.
  4. Suspension Notices - at the end of each school year.



5. Unsatisfactory Work Notices - at end of each school year.
6. Pupil Commendation Notices - upon graduation, and/or leaving the school district.

**THESE GUIDELINES ARE IN COMPLIANCE WITH N.J.S.A. 18A: 36-19**