

**SOUTH BURLINGTON SCHOOL DISTRICT
POLICY F1**

EDUCATION RECORDS

POLICY

It is the policy of the South Burlington School District to protect the confidentiality of education records. The South Burlington School District recognizes the importance of keeping accurate and appropriate education records for students as part of a sound educational program and is committed to act as trustee of this information, maintaining these records for educational purposes to serve the best interests of its students.

The principle of confidentiality underlies all policies and procedures for the collection, maintenance, disclosure and destruction of education records. The building Principal will be the custodian of all education records in a given school. The Superintendent has overall responsibility for education records throughout the District and for assuring that adequate systems are in place to maintain such records. The Superintendent is responsible for developing procedures to assure the consistent implementation of this policy. The procedures shall comply with all federal and state laws and regulations governing access to and the collection, maintenance, disclosure and destruction of education records.

DEFINITIONS

In this policy, and the procedures developed for the implementation of this policy, the term "education records" means those records that are: (1) directly related to a student; and (2) maintained by the school district, a school within the school district or by a party acting for the school district or a school within the school district.

In this policy, and the procedures developed for the implementation of this policy, a "record" means any information recorded in any way, including but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche.

All other terms used in this policy, and the procedures developed for the implementation of this policy, shall be defined, where applicable, as those terms are defined in the federal regulations promulgated pursuant to the Family Educational Rights and Privacy Act.

Date Policy Warned: November 15, 2006
Date Policy Considered: December 6, 2006
Date Policy Adopted: January 17, 2007

Signed:

Kathryn Boucher, Chair
Theodore Manazir, Clerk
Richard Cassidy
Carol Caldwell-Edmonds
Elizabeth Fitzgerald

AUTHORITY AND CROSS REFERENCE

Legal References

20 U.S.C. §§1232g (Federal Family Educational Rights and Privacy Act of 1974)

20 U.S.C. § 7908; 16 V.S.A. 563(27) (NCLBA Armed Forces Recruiter/Higher Education Access)

34 C.F.R. §99.3

1 V.S.A. §317 (Definitions)

15 V.S.A. §670 (Non-custodial parents)

33 V.S.A. §5536a (Juvenile court records)

VT State Board of Education Manual of Rules and Practices §2120.8.3.3

The federal Family Educational Rights and Privacy Act (FERPA) does not explicitly require a school board policy on the protection of student records. Its requirements are stated in the negative...“no funds shall be made available to any educational agency...which has a policy of denying...the right of parents...to review and inspect educational records. 20 U.S.C. 1232g; 34 C.F.R. Part 99. Nor does the State Board Manual of Rules and Practices explicitly require a school board policy on student records. “Each school shall develop and implement a system of maintaining student records...which is in compliance with FERPA.” SBE Rule 2120.8.3.3.

Legal References

Health Insurance Portability and Accountability Act (HIPPA) Policy