

STUDENTS

Student Records

The district records custodian will manage student records in the following manner.

Type of Records

Student records are divided into two (2) categories: the cumulative folder and supplementary records.

A. Cumulative Folder

The cumulative folder may contain all information about a student that is collected and maintained on a routine basis, such as identifying information (name, birth date, sex, year in school, address, telephone number, parent's/guardian's name, ethnic classification, emergency information, including parent's/guardian's place of employment, family doctor, baby-sitter, siblings); attendance records, including date of entry and withdrawal; grades and other student progress reports; results of tests of school achievement, aptitude, interests, hearing and vision; health and immunization status reports; records of school accomplishments and participation in school activities; verified reports of misconduct, including a record of disciplinary action taken; and such other information as shall enable staff to counsel with students and plan appropriate activities. Identifying information may be limited if the student is a participant in the state Address Confidentiality Program.

B. Supplementary Records

Supplementary records about a student may be collected and maintained in connection with special school concerns about the student, such as confidential health information or reports connected with assessment and placement of a student who is formally identified as a "focus of concern;" reports from non-school persons and organizations such as physicians, psychologists, and clinics, except for general screening purposes; reports pertaining to specific problems associated with the student; and current reports of psychological tests and progress reports related to a student's disabling condition. All such reports included in records shall be dated and signed.

For the purpose of this procedure, working notes of staff are defined as those records about students that are maintained in the sole possession of the writer and are not accessible or revealed to any other person except a substitute for that staff member. Working notes are not considered student records within the purview of this procedure.

Accessibility of Student Records

Information contained in the cumulative folder and/or supplementary records shall be provided to persons and agencies as follows:

A. Parents/Guardians

Parents/guardians of dependent children have the right to inspect the cumulative folder and/or supplementary records of their children.

1. Upon the request of the parent/guardian or a staff member, a qualified staff member will provide the parent/guardian with analysis and interpretation of all information in the cumulative folder and supplementary records. The review shall occur within five (5) school business days after the district receives a request unless a written explanation for the failure to do so is supplied by the custodian of records. In no case shall the review occur later than forty-five (45) days after the parent makes the request.
2. Inspection and review shall be conducted during normal working hours, unless the custodian (teacher, counselor, nurse, psychologist, principal) consents to other arrangements. Custodians shall provide assistance in the interpretation and analysis of student records as needed. Although records must remain within district control, they may be copied or reproduced by or for the parent/guardian or eligible student at their own expense.

B. The Student

Upon request of the student, a qualified staff member will interpret information from the cumulative folder to the student. The qualified staff member will interpret information contained in supplementary records to the student upon request and with the consent of the student's parent/guardian. Students who are age eighteen (18) or older ("adult student") may inspect their cumulative folder and supplementary records. The right of access granted the parent/guardian or adult student includes the right to be provided a list of the types of student-related education records maintained by the school and the district. The parent/guardian and adult student shall have the right to inspect or to be informed of the content of any record containing personally identifiable information regarding more than one student, provided that the right to access shall apply only to that portion of the record or document that relates to the student. Upon graduation from high school, a student may request to receive a final transcript in addition to the diploma.

Parents/guardians and adult students will be notified annually of their right to inspect and review the records of their children and their other rights under the Family Education Rights and Privacy Act through the Student Responsibilities and Rights Handbook.

Schools will continue to communicate with the parents/guardians of adult students absent a court order of emancipation or proof that the student is no longer listed as a dependent on their parents' income tax returns. In cases of emancipation, the district will communicate with the emancipated student only. In cases where adult students remain dependent on their parents/guardians, the parents/guardians shall have access to the student's records and the student's consent is not needed.

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within forty-five (45) days of the day the district receives a request for access. Parents/guardians or eligible students should submit a written request to the district records custodian that identifies the record(s) they wish to inspect. The records custodian will arrange for access and notify the parent/guardian or eligible student of the time and place where they may inspect the records.

2. The right to request amendments to the student's education records that the parent/guardian or eligible student believes to be inaccurate or misleading. Parents/guardians or eligible students may ask the district to amend a record that they believe is inaccurate or misleading. They should write the school principal and clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent/guardian or eligible student, the district will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Exceptions permitting disclosure without consent are: disclosure deemed by the district as necessary to protect the health or safety of the student or other individuals and disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202-8520

C. Staff

Staff or other school officials who have a legitimate, educational interest in a student shall have access to the cumulative folder and any supplementary records.

D. Districts

Other districts shall be provided with records upon official request from the district. The district will make all student records readily available to the enrolling school, within two (2) school days, regardless of any outstanding fees or fines the student may have. At the time of transfer of the records, parents/guardians or adult students may receive a copy of the records at their expense if requested and shall have an opportunity to challenge the contents of the records. Parents/guardians shall be advised through the annual Student Rights and Responsibilities Handbook that student records shall be released to another school where the student has enrolled or intends to enroll.

E. Other Persons and Organizations

Prospective employers may request to review the transcript of a student. Each parent/guardian or adult student shall be advised at least annually that such requests shall be honored only upon a signed release of the parent/guardian or adult student. Information contained in the cumulative folder and supplementary records of a student shall be released to persons and organizations other than the student, parent/guardian, staff and other districts only with the written consent of the parent/guardian or adult student with the following exceptions:

1. Directory information may be released publicly without consent upon the condition that the parent/guardian or adult student be notified annually of the school's intention to release such information and be provided the opportunity to indicate that such information is not to be released without prior consent. Such information shall not be released for commercial reasons.

Directory information is defined as the student's name; grade level; dates of enrollment; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees; honors, and awards received; schools attended in the district, work created by the student for school-related publications and purposes; and/or photographs of students for school-related publications or purposes. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information. Social security numbers, student identification numbers (with authentication factors such as a secret password or personal identification number) or other personally identifiable information is not considered directory information.

2. Information may be released to authorized representatives of the comptroller general of the United States, the commissioner of education, and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements for such programs.
3. Information may be released to state and local officials to whom such information is specifically required to be reported or disclosed pursuant to Washington state statute (examples: reporting child abuse or referrals to juvenile court for truancy or a local Community Engagement Board).
4. Information may be released to organizations conducting studies for educational agencies for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents/guardians by persons other than the representatives of such organizations and if such information shall be destroyed when no longer needed for the purpose for which it has been gathered.

5. Information may be released in compliance with a judicial order or lawfully issued subpoena including ex parte court orders under the USA Patriot Act, upon condition that a reasonable effort was made to notify the parent/guardian or adult student in advance of such compliance unless such notice is not allowed by the court order or subpoena. In compliance with the federal Uninterrupted Scholar's Act of 2013, when a parent is a party to a court proceeding involving child abuse or neglect (as defined in Section 3 of the child Abuse and Prevention and Treatment Act ([42 U.S.C. 5101](#))) or dependency matters, and the order is issued in the context of that proceeding, the district is not required to provide additional notice (i.e., in addition to the court's notice) to the parent prior to release of the information.
6. Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons. The district will take into account the totality of the circumstance and determine if there is an articulable and significant threat to the health or safety of the student or other individuals. When information from a student's record, other than directory information, is released to any person or organization other than staff, a record of such release shall be maintained as part of the specific record involved. Telephone requests for information about students shall not be honored unless the identity of the caller is known, and the caller is authorized to receive the information under provisions of these procedures. A record shall be made of any such release of information and placed in the student's cumulative folder. This record of access shall include date of access, name of the party granted access and the legitimate educational interest of the party granted access (Form: Record of Access to Student Records).
7. In compliance with the federal Uninterrupted Scholar's Act of 2013, information regarding students in foster care may be released without prior written consent of the parent or eligible student to agency caseworkers or other representatives of state or local child welfare agencies or tribal organizations who are legally responsible for the care and protection of the student, for purposes related to the student's case plan.
8. A high school student and/or parent/guardian may grant authority to the district permitting prospective employers to review the student's transcript.

Confidential Health Records

Confidential health records should be stored in a secure area accessible only to the principal/designee and/or school nurse, unless an appropriately executed release under [Chapter 70.02 RCW](#) Medical records—Health care information access and disclosure, has been obtained. Such records are also covered by FERPA, permitting parent/guardian access to review and otherwise exercise FERPA rights regarding the records. There is a higher standard of confidentiality and minor student's rights of privacy for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning, or abortion. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment is more restrictive than ordinary medical releases.

Amendments of Records and Hearings

Schools and departments shall inform parents/guardians or adult students of their rights regarding student records by providing notice of the following items:

- A. Types of records maintained;
- B. Name of custodian;
- C. Person other than parent/guardian or adult student having access to records and the purposes for such access;
- D. Inspection, review, amendment, and hearing rights;
- E. Concurrent rights of minor students;
- F. Costs for copying records; and
- G. Directory information categories.

Forms used in connection with these procedures shall contain information required by law to notify parents/guardians, adult students and others of their respective rights and duties.

At the time of inspection and review, the parent/guardian or adult student granted access to records may request that information in the student's records be amended. Custodians (e.g., teacher, counselor, nurse, psychologist) may honor such requests by correcting or deleting records which are misleading, violate privacy, or inaccurate, provided that the senior custodian (principal or department head) concurs.

If the senior custodian denies the requested correction or deletion, the parent/guardian or adult student may request an informal hearing before the superintendent or designee, which hearing shall be held within ten (10) school days of the receipt of such request. During the hearing, the superintendent or designee shall review the facts as presented by the parent/guardian or adult student and the custodian and decide whether or not to order the demanded correction or deletion. The superintendent or designee shall send a written decision to the parent/guardian or adult student within ten (10) school days of the hearing.

If the district still decides not to amend the records as a result of the hearing, the parent/guardian or adult student requesting amendment of the records may insert a written explanation of their objections in such records.

Maintenance of Student Records

The student's principal, counselor, or teacher shall be the custodian of the cumulative folder and supplementary records. The executive director of special services shall be the custodian of the supplementary records for special education students. Duplicate copies of all guidance case study reports and reports from non-school agencies contained in a student's supplementary record may be maintained in the district office under the supervision of the superintendent or designee.

Custodians shall:

- A. Maintain only those records authorized by these procedures;
- B. Safeguard student records from unauthorized use and disposition;

- C. Maintain access records;
- D. Honor access requests for parent/guardian or adult student;
- E. Delete or correct records upon approval of the senior custodian or upon order of the superintendent or designee or the board; and
- F. Follow the records review schedule and procedures established by the senior custodian.

Senior custodians may assume the duties of custodians and shall:

- A. Request student records from other schools;
- B. Maintain security of student records;
- C. Transfer, destroy, and expunge records as permitted;
- D. Supervise activities of their custodians;
- E. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents/guardians or adult student;
- F. Establish records review schedules and procedures for their respective schools or departments in accordance with procedures for governing records disposition (Psychological test scores shall be reviewed annually to determine their relevance to the continuing educational needs of the student.);
- G. Upon transfer of the student to the next level (elementary to middle school, middle school to high school) or upon graduation or transfer outside the district, remove for retention, preservation or destruction in accordance with applicable disposition procedures any records no longer pertinent to educational program placement; and
- H. Certify to the district records custodian by June 30 of each year the following:
 - 1. Only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and
 - 2. Required reviews have been accomplished.

The district records custodian shall provide overall supervision of student records management and control and shall enforce the student records policy and the administrative procedures.

The district will use an array of methods to protect records, including passwords, physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records) and administrative procedures.

Disposition of Student Records

The permanent student record shall serve as the record of the student's school history and academic achievement. Permanent records filed in the student's cumulative folder are to be extracted and retained before disposition of the folder.

Within ten (10) days after receiving a request, the district will furnish a set of unofficial educational records to the parent/guardian of a student transferring out of state who meets the definition of a child of a military family in transition. When a student transfers to another school in the district, all records including the permanent student record shall be transmitted to the other school.

When a student transfers to a school outside of the district, the senior custodian shall purge the cumulative folder of all nonofficial, extraneous information. A copy of all records will be sent to the requesting school regardless of any outstanding fees or fines.

The student's cumulative folder shall be maintained for three (3) years after the student graduates or withdraws from the district. In all cases, the student's permanent record shall be retained by the district for 100 years.

Contents of a student's supplementary records shall be maintained for three (3) years. Special education student records shall be maintained for six (6) years after the student graduates or separates from the program. At the time a student graduates from school or ceases to need special educational services, the parent/guardian or adult student shall be informed that record information regarding the disabling condition is no longer needed for educational purposes AND that the special education records will be retained by the district for six (6) years before being destroyed pursuant to the School Districts and Educational Districts Records Retention Schedule approved in accordance with [RCW 40.14.070](#).

When informing parents/guardians or adult students about their rights regarding such records, the district shall advise the parents/guardians or adult students that information may be needed by the student or the parent/guardian to establish eligibility for certain adult benefits, e.g., social security AND that the parent/guardian/adult student should ensure that they possess the necessary documentation, or request copies of certain records from the district BEFORE the district records are destroyed in six (6) years. At the parent's/guardian's or adult student's request, the record information relating to the disabling condition shall be destroyed but ONLY after the records have met their six (6) year retention requirement pursuant to the School Districts and Educational Districts Records Retention Schedule. The district may, in its discretion, choose to retain these records for a longer period of time for business purposes.

Parents/guardians or adult students, at their expense, may receive a copy of all records to be transmitted to another district.

Large Scale Destruction of Student Records

After exercising care in accordance with that contained in the previous section (Disposition of Student Records), the senior custodian shall bundle all records and send them to the district office. Each bundle shall be plainly marked: "Student Records—for Destruction," dated and signed by the senior custodian. A summary sheet shall be completed and retained in the office. The sheet shall indicate: "As of this date, I have determined that the following records may be destroyed in accordance with district and state requirements and have submitted them for destruction." The summary sheet shall be dated and signed by the senior custodian.

Electronic Records

Electronic records (including email and web content) created and received by the district in the transaction of public business are public records for the purposes of [Chapter 40.14 RCW](#) and will be managed consistent with all of the laws and regulations governing the retention, disclosure, destruction and archiving of public records. The district will manage electronic records according to the same provisions as paper documents as set forth in the records retention schedules. Electronic records will be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. The district will retain electronic records designated as archival in the original format along with the hardware and software required to read the data unless the data has been successfully migrated to a new system. The district will retain records in compliance with the records retention schedule for [Public Schools \(K-12\)](#).

Cross references:

[Board Policy 3413](#)

[Board Policy 3600](#)

[Board Policy 6550](#)

Student Immunization and Life-
Threatening Health Conditions
Student Records
Data Security and Privacy

Adopted: September 1981
Revised: May 14, 1984
Revised: March 20, 1995
Revised: June 1999
Updated: April 2001
Revised: January 2006
Revised: March 2009
Updated: January 2012
Revised: June 2012
Revised: December 2012
Revised: June 2015
Updated: January 2016
Revised: January 2017
Updated: February 2018
Revised: March 2019
Revised: December 2019
Updated: January 2020
Updated: July 2020
Revised: July 2021
Revised: September 2021
Updated: August 2022
Updated: November 2023

DOCUMENTATION OF ACCESS TO STUDENT RECORDS

P. O. Box 2098
Everett, WA 98213

NAME	DATE OF ACCESS	PURPOSE OF ACCESS



Everett Public Schools Student FERPA Request

[The Family Education Rights and Privacy Act](#) (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents/guardian certain rights with respect to their children's education records. These rights transfer to the student when they reach the age of eighteen (18) or attend a school beyond the high school level. Students between the age of sixteen (16) and eighteen (18) years old who have been granted legal emancipation from their parent/guardian have the same FERPA rights as eighteen-year-old students.

_____ Student Name	_____ Date
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Documentation of Emancipated Status (age 16-18 only)

_____ Court Emancipation Document*

_____ Parents/guardians income taxes show student is no longer listed as a dependent*

My initials indicate the educational information no longer accessible to my parent/guardian

Grades: _____ Initial

Attendance: _____ Initial

Discipline: _____ Initial

Access to LMS: _____ Initial

Address and phone number: _____ Initial

To whom, if anyone, may the above-mentioned information be released:

_____ Name	_____ Relationship
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_____ Name	_____ Relationship
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**In the event of an emergency, whom should we contact?

_____ Name	_____ Phone	_____ Relationship
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By signing this form as an emancipated or eighteen (18) year-old student, I understand that I am solely responsible for my attendance, discipline, and student records, school authorizations, permissions, and notifications, and for completion of all graduation requirements. I also understand that a copy of this form will be forwarded to my parent/guardian.

_____ Student Signature	_____ Student #	_____ Date
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_____ Administrator	_____ Date	_____ Counselor	_____ Date
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Once this form is signed by the student and school administrator, the student must update their personal information with the school registrar.

Adopted: June 2012
Revised: June 2015
Revised: October 2018
Updated: August 2022