



Policy: Student Records

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| Purpose | The Board of Trustees of Montessori Regional Charter School recognizes that certain written and oral communications between students, families and school personnel must be confidential. The educational interests of the students may require the collection, retention, and use of data and information about individuals and groups of students while ensuring the individual’s right to privacy. The Charter school shall maintain educational records for students for legitimate educational purposes. |
| Authority | The Board directs school personnel to comply with all federal and state laws, regulations and Board policy concerning the compilation, retention, disposition, security and legal confidentiality requirements of student records. |
| Mission | The mission of Montessori Regional Charter School is to provide a superior Montessori program of study that will develop lifelong learners. Our children will be prepared academically, emotionally and socially by creating a love of learning through meaningful and fulfilling educational experiences. Our guiding principles are: to encourage independence and self-reliance; to honor, respect and value individual differences; a commitment to multiage, multi-ability, and multicultural classroom environments; to provide safe, prepared environments, filled with developmentally appropriate, tactile materials; to maintain a highly qualified staff and administration; recognize parents’ roll in our educational process and to be a resource for our community as a center for Montessori training, observation, and awareness. |
| Delegation of Responsibility | <p><u>Delegation of Responsibility</u></p> <p>In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, Chief Executive Office will coordinate the charter school’s efforts to comply with this policy and applicable laws and regulations.</p> <p>All charter school employees collecting or using personally identifiable information shall receive training or instruction regarding this policy, administrative guidelines, and state and federal law and regulations regarding confidentiality of education records and personally identifiable information.</p> |
| Personally Identifiable Information | <p>Personally identifiable information includes, but is not limited to:</p> <ul style="list-style-type: none"> • The name of a student, the student’s parents/guardians or other family members • The address of the student or the student’s family • A personal identifier, such as the student’s social security number, student number or biometric record • Other indirect identifiers, such as the students’ date of birth, place of birth and mother’s maiden name • Other information that, alone or in combination, is linked or likable to a specific student that would allow a reasonable person in the school community, who does not have a personal knowledge of the relevant circumstances, to identify the student with reasonable certainty |

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| | <p>Information requested by a person who the charter school reasonably believes knows the identity of the student to whom the education record relates.</p> |
| <p>Summary of Policies: Storage, disclosure to third parties, retention and destruction</p> | <p><u><i>Storage, Retention and Destruction of Information</i></u> The charter school shall store all education records and personally identifiable information of students in such a way as to protect the confidentiality and integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention. The charter school shall maintain, for public inspection, a current listing of the names and positions of those charter school employees who have access to personally identifiable information.</p> <p><u><i>Special Education Records</i></u> In order to comply with state compliance monitoring requirements, the charter school shall:</p> <ul style="list-style-type: none"> • Maintain education records for students receiving special education services for at least six (6) years after the student turns twenty-one (21). • Inform parents/guardians when personally identifiable information collected, maintained or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon parental request. • No education record shall be destroyed if there is an outstanding request to inspect or review the record of if litigation holds exists. • Maintain a permanent record of the student’s name, address and phone number, his/her grades, attendance record, classes attended, grade level completed and year completed. • Ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and his/her family. • <p><u><i>Disclosure to Third Parties</i></u> The charter school shall obtain parental consent before disclosing personally identifiable information to parties other than charter school officials with a legitimate educational interest or other educational institutions that provide special education services to the student for the purposes of meeting a requirement of law or regulation unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.</p> <ul style="list-style-type: none"> • Parental consent must be obtained before personally identifiable information is related to officials of participating agencies providing or paying for transition services. |
| <p>Right of Parents to Access Information</p> | <p><u><i>Parental Access Rights</i></u> The charter school shall permit parents/guardians to inspect and review any education records relating to their child(ren) that are collected, retained or used by the charter school in connection with providing special education services to the student. The charter school shall comply with a parental request to inspect and review education records without unnecessary delay and before any meeting regarding an Individualized Education Program (IEP); any impartial due process hearing relating to the identification, evaluation, educational placement or the provision of a free and appropriate public education (FAPE) to a student; a hearing related to the discipline of the student; and a resolution meeting.</p> |

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| | <p>The charter school shall presume a parent/guardian has authority to inspect and review records relating to his/her child unless it has been provided documentation that the requesting parent/guardian does not have this authority under applicable state law.</p> <p>The charter school shall comply with a parental request for review within forty-five (45) days following receipt of the request.</p> <p>A parent/guardian’s right to inspect and review education records includes the right to:</p> <ul style="list-style-type: none"> • A response from the charter school to reasonable requests for explanations and interpretations of the records • Request that the charter school provide copies of the records if failure to provide copies would effectively prevent the parent/guardian from exercising the right to inspect and review the records; and • Have a representative inspect and review the records. If an education record includes information on more than one (1) student, the parents/guardians shall have access only to the information relating to their child or shall be informed of the information in the record. • The charter school shall provide parents/guardians from exercising their right to inspect and review those records. <p>The charter school shall not charge a fee to search for or to retrieve information in response to a parental request.</p> <p><u>Record of Access</u></p> <p>The charter school shall keep a record of parties obtaining access to education records collected, maintained or used in providing special education to students with disabilities, except access by parents/guardians and authorized district employees.</p> <p>The charter school’s record of access shall include the name of the party, the date access was given and the purpose for which the party is authorized to use the records.</p> <p><u>Amendment of Records upon Parental Request</u></p> <p>If a parent/guardian believes that information in the student’s education records is inaccurate, misleading or violates the privacy or other rights of the student, the parent/guardian may request that the district amend the information.</p> <p>The charter school shall decide whether to amend the information within a reasonable period of time from receipt of the request.</p> <p>If the charter school declines to amend the information in accordance with a parental request, the district shall inform the parent/guardian of the refusal and advise the parent/guardian of the right to a hearing.</p> |
| <p>Fee for copies</p> | <p>The Charter school will charge \$.25 per page for copies made.</p> |
| <p>Hearing Right and Procedures</p> | <p><u>Records Hearing</u></p> <p>The charter school shall, on request, provide parents/guardians with an opportunity for a hearing to challenge information in the student’s education records to ensure that the information is not inaccurate, misleading or otherwise in violation of the student’s privacy or other rights, the district</p> |

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| | <p>recognizes that parents/guardians who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing.</p> <p><u>Hearing Procedures</u></p> <p>A hearing to challenge information in education records must meet the following requirements:</p> <ul style="list-style-type: none"> • The charter school shall hold the hearing within a reasonable time after receiving the request for a hearing. • The charter school shall give the parent/guardian reasonable advanced written notice of the date, time and place of the hearing. • The hearing may be conducted by any individual, including a district official, who does not have a direct interest in the outcome of the hearing. • The charter school shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at his/her own expense, be assisted or represented by one (1) or more individuals of his/her choice, including an attorney. • The charter school shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing. • The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision. <p><u>Result of Hearing</u></p> <p>If, as a result of the hearing, the charter school decides that the information is inaccurate, misleading or otherwise in violation of the student’s privacy or other rights, the district shall amend the information accordingly and inform the parent/guardian in writing.</p> <p>If, as a result of the hearing, the charter school decides that the information is not inaccurate, misleading or otherwise in violation of the student’s privacy or other rights, the district shall inform the parent/guardian of the parent’s/guardian’s right to place in the student’s records a statement commenting on the information and/or providing any reasons for disagreeing with the charter school’s decision.</p> <p>Any explanation placed in the student’s records shall be:</p> <ul style="list-style-type: none"> • Maintained by the charter school as part of the student’s records as long as the record or contested portion is maintained by the district; and <p>Included with the record or contested portion if the record or contested portion are disclosed to any party.</p> |
| <p>Confidentiality</p> | <p>Confidentiality</p> <p>All information gathered in the evaluation, identification, and programming of children who may require special education services is governed by confidentiality requirements under Pennsylvania and federal law, specifically, the Individuals with Disabilities Education Act and the Family Education Rights and Privacy Act.</p> <p>The Charter School shall maintain a system of safeguards to protect the confidentiality of students’ educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.</p> <p>Charter school staff shall maintain the confidentiality of student records and personally identifiable information, as required by law and regulations and Board Policy.</p> |

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| | <p>Records generated by this process as well as records sought from non-school agencies are confidential and protected by both federal and Pennsylvania legislation.</p> <p>Information to/from outside sources cannot be requested/released without written parental consent and the Charter School does not disclose personally identifiable information about students except as when so authorized under these laws.</p> <p>The Charter school shall notify parents/guardians prior to destroying personally identifiable information is a student’s record that is no longer relevant or necessary for providing educational services to the student.</p> <p>Information about confidentiality and access to your child’s education records is available from Charter School Principal.</p> |
| <p>Report of a Crime FERPA</p> | <p>If is crime is committed by a student, MRCS will ensure that copies of the special education and disciplinary records of the student are properly transmitted and only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).</p> |
| <p>Training</p> | <p>All persons collecting or using personally identifiable information will receive training /instruction regarding confidentially procedures.</p> |
| | <p>TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL’S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.</p> <p>Adopted this _____ day of _____, 2024</p> <p>_____</p> <p>President</p> <p>_____</p> <p>Secretary</p> |
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