



ISANA

STUDENT RECORD MAINTENANCE AND RETENTION POLICY

ISANA is committed to maintaining the privacy and integrity of student records. This policy governing student record maintenance and retention applies to all ISANA Academies, and is aligned with ISANA's Policy for Protection of Student Records provided to all families as part of ISANA's enrollment materials. Relevant ISANA staff members who are responsible for managing student information shall receive training and guidance regarding these policies and procedures to ensure the protection of student information. ISANA's Chief Executive Officer shall be the designated custodian of records and charged with implementing this policy.

ACCESS TO STUDENT RECORDS

Students, former students, parents, and legal guardians will be provided timely access to and the ability to challenge educational records as required by law. Access to educational records by others will only be provided consistent with the Family Educational Rights and Privacy Act of 1974, as set forth in Part 99 of Title 34 of the Code of Federal Regulations, and consistent with applicable California law.

Parents/Guardians of students (current and former) have an absolute right to access any student records related to their child. Parents/Guardians may request copies of student records and may inspect and review records during regular school hours by sending a written request to the school. The request should identify the Parent/Guardian, student, and the name of the school attended, and it should describe the records requested and whether the request is for copies or inspection. If the official student records are not centrally located, the Parent/Guardian will be notified of the location of the records. If requested, the Parent/Guardian will also be notified of the availability of qualified certificated personnel to interpret records. Requests for access consistent with this procedure shall be granted no later than five (5) business days following the date of the request. The school may charge reasonable fees for copies it provides to Parents/Guardians, however, the school shall not charge Parents/Guardians fees to search for or retrieve any student record. Further, no charge shall be made for furnishing: (a) up to two (2) transcripts of former student records, or (b) up to two (2) verifications of various records of former students.

Following an inspection and review of a student's records, a Parent/Guardian may challenge the content of the student record. Note that Parents/Guardians do not have the right to amend grades or educational decisions made by school staff. The Parent/Guardian may make a written request of the school to correct or remove any information in the student record that the Parent/Guardian believes to be inaccurate. This request must be made within thirty (30) days of the discovery of the error. Within fourteen (14) days of a request to amend a student record, the school shall respond to the request in writing. If the request is denied, the school shall state the reasons for the denial.

Parents/Guardians have the right to file a complaint with the United States Department of Education concerning alleged failures of a school to comply with FERPA. Parents/Guardians may submit such a complaint to:

Family Policy Compliance Office
US Department of Education
400 Maryland Ave SW
Washington, DC 20202-4605

Generally, the Isana Academies may not release student records to any person without written Parent/Guardian consent or a judicial order (*e.g.*, subpoena). However, FERPA permits the schools to release student records without Parent/Guardian consent, under the following circumstances:

- a) To school officials, which include employees who have a “legitimate education interest.” School officials also include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions.
- b) To other schools to which the student is transferring provided the student’s Parent/Guardian is notified of the transfer, receives a copy of the record if desired, and has an opportunity to challenge the content of the record.
- c) To the General Controller of the United States, the Secretary of Education, state educational authorities, or the Attorney General in connection with the audit and evaluation of federally-supported education programs, or in connection with the enforcement of federal legal requirements.
- d) To the appropriate parties in connection with a student’s application for, or receipt of, financial aid.
- e) To state and local officials within the juvenile justice system, pursuant to state law.
- f) To organizations conducting certain studies for the school.
- g) To accrediting organizations.
- h) To parents of a dependent student.
- i) To appropriate persons, in connection with an emergency, if the knowledge of such information is necessary to protect the health or safety of the student or other persons.
- j) To the person or entity designated in a subpoena.
- k) Directory information, as set forth in ISANA’s Policy for Protection of Student Records and/or Parent Handbook.

TRANSFER OF STUDENT RECORDS

If a student transfers from an ISANA Academy to another school, the student’s Mandatory Permanent Pupil Record (as defined below) or a copy of it shall be transferred by the ISANA

school no later than ten (10) schooldays following the date the school receives the request from the school where the pupil intends to enroll. ISANA will permanently retain an original or copy of the transferring student's Mandatory Permanent Pupil Record. If the transfer is to another California public school, the student's entire Mandatory Interim Pupil Record (as defined below) shall be forwarded. If the transfer is to a private school or an out of state public school, the Mandatory Interim Pupil Record may be forwarded. Permitted Pupil Records (as defined below) may also be forwarded.

Maintenance and transfer of student records in the event of closure of any ISANA Academy shall be consistent with that school's charter closure procedures.

MANDATORY PERMANENT PUPIL RECORDS

The Mandatory Permanent Pupil Record includes those student records which the ISANA Academies will compile and maintain indefinitely and shall include the following:

1. Legal name of pupil;
2. Date of birth;
3. Method of verification of birth date;
4. Sex of pupil;
5. Place of birth;
6. Name and address of parent of minor pupil and of pupil if different;
7. Entering and leaving date of each school year and for any summer session or other extra session;
8. Subjects taken during each year, half year, summer session, or quarter;
9. If marks or credits are given, the mark or number of credit toward graduation allowed for work taken;
10. Verification of or exemption from required immunization; and
11. Date of high school graduation or equivalent (if applicable).

MANDATORY INTERIM PUPIL RECORDS

The Mandatory Interim Pupil Record includes the following:

1. A log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record. The log or

record shall be accessible only to the legal parent or guardian or the eligible pupil, or the custodian of records;

2. Health information;
3. Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge;
4. Language training records;
5. Progress slips and/or notices;
6. Parental restrictions regarding access to educational records or related stipulations;
7. Parent rejoinders to challenged records and to disciplinary action;
8. Parental authorizations or prohibitions of pupil participation in specific programs; and
9. Results of standardized tests administered within the preceding three years.

PERMITTED PUPIL RECORDS

Permitted Pupil Records are those pupil records which the ISANA Academies may maintain for appropriate educational purposes. Such records **may** include: objective counselor and/or teacher ratings; standardized test results older than three years; routine discipline data; verified reports of relevant behavioral patterns; disciplinary notices; and attendance records.

DESTRUCTION OF PUPIL RECORDS

The ISANA Academies will preserve Mandatory Permanent Pupil Records in perpetuity. Mandatory Interim Pupil Records may be destroyed during the third school year after the student leaves the school or the records' usefulness ceases. Permitted Pupil Records may be destroyed when their usefulness ceases.

A student record may also be destroyed if ordered by ISANA's Chief Executive Officer, or his or her designee, following a finding that the record is any of the following: inaccurate; misleading; in violation of the privacy or other rights of the pupil; or any other reason required by law.

ATTENDANCE RECORDS

Attendance accounting is the method by which the schools track attendance and absence of students, which serves two purposes: (1) it enables the schools and the State to verify compliance with compulsory attendance laws; and (2) it is the method by which the State apportionment is

calculated. The schools must maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection. The schools must submit three attendance reports each year and the school's apportionments are allocated based on the respective reporting periods.

SAFEGUARDING STUDENT RECORDS:

The Chief Executive Officer is responsible for ensuring identifiable student information is maintained in a secure manner and access is only granted to authorized ISANA employees in accordance with applicable law.

All ISANA Academies shall adopt reasonable physical, administrative, and technical safeguards to protect student data. These safeguards include access control to school databases and use of locks and similar mechanisms to protect physically stored student information. Staff shall be advised to ensure sensitive student records are not left out and are secured after use.

RESPONDING TO REQUESTS FOR STUDENT RECORDS:

If an ISANA staff member receives any request for student information or records from an outside party, whether verbal or in writing, including from a parent or law enforcement, they shall forward the request to the Principal. If the person requesting information or records demands a response from the ISANA staff member, this staff member should then know that they have forwarded or will forward their request to the Principal, and direct them to the Principal for any follow up. The Principal will work with ISANA's team and legal counsel, as necessary, to respond to requests in compliance with all applicable laws.

ISANA shall not disclose personally identifiable information from a student education record to other staff members or third parties unless there is a legitimate educational interest or otherwise allowed under the law.

REQUESTS FOR CITIZENSHIP OR IMMIGRATION INFORMATION

ISANA shall avoid the disclosure of information that might indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by Family Educational Rights and Privacy Act (FERPA).

ISANA personnel shall take the following action steps upon receiving an information request related to a student's or family's immigration or citizenship status:

- ✓ Notify the CEO about the information request.
- ✓ Provide students and families with appropriate notice and a description of the immigration officer's request.
- ✓ Document any verbal or written request for information by immigration authorities

✓ Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.

Except for investigations of child abuse, child neglect, or child dependency, or when a subpoena served on ISANA prohibits disclosure, ISANA shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

ISANA shall require written parental or guardian consent for release of student information, unless the information is relevant for a legitimate educational interest or includes directory information only. FERPA does not permit disclosing information to immigration authorities for immigration-enforcement purposes, and as such, no student information shall be disclosed to immigration authorities for immigration enforcement purposes without a court order or judicial subpoena.

An ISANA request for written parental or guardian consent for release of student information must include the following information: (1) a request for the signature and date of the parent, guardian, or eligible student providing consent; (2) a description of the records to be disclosed; (3) the reason for release of information; (4) the parties or class of parties receiving the information; and (5) if requested by the parents, guardians or eligible student, a copy of the records to be released. ISANA shall permanently keep the signed consent form with the record file. The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information that this not otherwise subject to release, ISANA shall not release the information.

PROHIBITIONS ON USE OF SENSITIVE STUDENT INFORMATION:

If ISANA possesses student information that could indicate immigration status, citizenship status, or national origin information, the ISANA shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school.

If parents or guardians choose not to provide to ISANA information that could indicate their or their children's immigration status, citizenship status, or national origin information, ISANA shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school. ISANA shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.

APPROVED AND ADOPTED by the Board of Directors on November 6, 2017.

(Updated - August 2018)