match EDUCATION | Match Charter Public School

Student Records Policy For:

MATCH CHARTER PUBLIC SCHOOL

Federal and state laws provide rights of confidentiality, access, and amendment relating to student records (as defined below) to students who are age 14 and older or who have entered ninth grade, whichever comes first ("eligible students") or to parents/guardians of students under the age of 14 and who have not entered the ninth grade ("parents"). For purposes herein, "student records" shall be defined as a student's transcript, temporary records, and includes all information concerning a student that is kept by Match, regardless of physical form, that is organized on the basis of the student's name or in a way that permits the student to be individually identified. The temporary record includes such items as health and immunization records, and video surveillance footage to the extent such footage is used for the student's disciplinary purposes. Copies of the applicable federal and state laws will be provided by Match Charter Public School ("Match") upon request.

Access and Amendment

A parent (other than a non-custodial parent) or eligible student has a right to access, obtain a copy of, and seek an amendment to, a student's records if the parent or eligible student believes them to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. In order to obtain access, a copy or to seek amendment to student records, please contact the Principal or Executive Director in writing and such access will be provided as soon as practicable and within 10 days after the initial request. Upon request, the eligible student or parent may meet with professionally qualified school personnel and have any contents of the school record interpreted. If Match decides not to amend a student record as requested, the parent or eligible student may request a hearing. If, after the hearing, Match determines that the information in the student record is not inaccurate, misleading or otherwise in violation of the student's privacy rights, it shall inform the parent or the eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why the parent or student, as applicable, disagrees with the decision of the agency or institution. Such a statement will be maintained as part of the student record for as long as the record is maintained, and will be disclosed whenever Match discloses the portion of the record to which the statement pertains.

A non-custodial parent seeking access to student records must submit a written request to the Principal or Executive Director. Upon receipt of the request, Match will immediately notify the custodial parent by certified and first-class mail, in English and in the primary language of the custodial parent, that Match will provide access after twenty-one (21) days unless the custodial parent provides documentation that the non-custodial parent is not eligible for access. Records provided to a non-custodial parent will have all electronic and postal address and telephone number information relating to either the work or home locations of the custodial parent deleted and will be marked to indicate that they may not be used to enroll the student in another school. Upon receipt of a court order prohibiting distribution of information under M.G.L. c. 71, § 34H, Match will notify the non-custodial parent that it will cease providing access. Parents who have questions or concerns regarding access to records by a non-custodial parent should contact the Principal or Executive Director for additional information.

Confidentiality

Release of student records generally requires consent of the parent or eligible student subject to certain exceptions. For example, Match employees (including administrators, supervisors, instructors, and support staff members), trustees, or individuals under contract with Match (including attorneys, auditors, medical consultants and therapists, and individuals assisting Match employees in performing their tasks) may access student records as needed to perform their duties without consent from an eligible student or a student's parent. Match may also release a student's complete student record to authorized school personnel of a school to which a student seeks or intends to transfer without further notice to or receipt of consent from, the eligible student or parent. In addition, Match may disclose student records without consent where a specific exception applies, including to appropriate parties in connection with a health or safety emergency, in response to a lawfully issued court order or subpoena after making a reasonable effort to notify the parent or eligible student in advance, and to officials within the juvenile justice system to the extent authorized by state statute. A request from a law enforcement officer or other government

agent is directed to the Executive Director or designee before Match responds. Additional instances where student records may be released without consent are set forth at 20 U.S.C. § 1232g(b), 34 CFR § 99.31 and 603 CMR 23.07(4).

Further, when the Department of Children and Families (DCF) has custody of a student, the DCF social worker assigned to the student will have access to that student's student records of the same type and degree as parents to online portals, distribution/mailing lists, and other communication protocols used by Match to share education records and data about individual students. To the extent Match offers online access to student-specific data on attendance and education progress, such access will be extended to the DCF social worker, including providing such social worker with a user profile, login credentials, information on how to access the portal, and guidance on how to use the online system. Match will provide this access as soon as possible, ideally within five (5) working days, after Match's Foster Care Point of Contact receives the Notice to LEA form from the DCF social worker. Match's Foster Care Point of Contact will also work with DCF staff to facilitate access to any other school or teacher-specific online systems used to share information with parents. (Note that the parent will not lose access to these online systems unless there is a specific court order to this effect.) If there is a change of status of a student's custody, DCF will refile the Notice to LEA form, and Match will deactivate the DCF social worker's access to the student records.

Furthermore, Match may disclose directory information (as defined below) without notice or consent unless a parent or eligible student notifies the Principal in writing, within ten (10) calendar days of the receipt of this policy, that the parent or student, as applicable, objects to the release of any directory information (as defined below). For purposes herein, "directory information" is defined as a student's name, address (except for the address of a homeless student), telephone listing, email address, date and place of birth, major field of study, dates of attendance, weight and height of the members of athletic teams, grade level, participation in recognized activities and sports, honors and awards, and post-high school plans.

In addition, in accordance with M.G.L. c. 71, § 89(g), Match will release the names and addresses of students to a third-party mail house upon the request of a school district, unless a parent or eligible student objects to such release by providing written notice to the Principal or Executive Director within ten (10) calendar days of the receipt of this policy.

Record Retention

A student's transcript will be maintained by Match for a period of 60 years following a student's graduation, transfer or withdrawal from Match. A student's temporary record shall be destroyed no longer than seven (7) years after the student withdraws, transfers or graduates from Match.

The score of any group intelligence test administered to a student shall be removed from the record of said student at the end of the school year in which such test was administered.

Upon a student's graduation, withdrawal or transfer from Match, Match will provide written notice to the eligible student and the student's parent of the approximate date of destruction of the student's temporary record and their right to receive the information in such record.

Complaint

Parents and eligible students have a right to file a complaint concerning alleged failures by a school to comply with the requirements of the student records laws and regulations with the Massachusetts Department of Elementary and Secondary Education, 135 Santilli Highway, Everett, MA 02149. Complaints relative to federal statutes and regulations governing student records may be filed with the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-8520, or online at studentprivacy.ed.gov.

See also, Match's Access to Education, Student Privacy, and Immigration Enforcement Policy.

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