



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

Date

- I. **PURPOSE:** To provide general procedures for implementation of federal law, state law, and Prince George's County Board of Education (PGCPS) Policy with respect to the collection, maintenance, and dissemination of individual student non-school-based records.
- II. **POLICY:** The Prince George's County public school system will make every effort to keep student records confidential and safeguard them from those who might use them for other than legitimate purposes. Information of a highly confidential and personal nature about students that counselors, teachers, and other school personnel acquire will be respected as confidential. The interest of the student will supersede all other purposes to which records might be put. (Board Policy 5125)
- III. **BACKGROUND:** All information, regulations, procedures, and guidelines contained in Administrative Procedure 5125, Individual Student School-Based Records are applicable to all non-school-based student records except as specifically stated in these procedures. Therefore, a thorough knowledge of Administrative Procedure 5125 is required for the understanding and implementation of this Administrative Procedure.
- IV. **DEFINITIONS:**
 - A. Individual Student Non-School-Based Records-records which consist of any Category I or Category II Data which must be maintained by non-school-based staff members in the performance of their duly authorized responsibilities within their respective departments. Such personally identifiable student data may be maintained in the form of applications, listings, authorized computer files, official forms, referrals, notices, reports, or correspondence. However, any collection of data relevant to a particular student (outside of that student's school-based records) should be maintained only in the Non Cumulative Student Folder.
 - B. Personal Notes-notes which are intended and used solely as an extension of memory are considered "personal notes" and shall not be a part of Departmental Student Data or the Non Cumulative Student Folders.
 - C. Adult Student-a student who is 18 years of age or older.
 - D. Non Cumulative Student Folder-a folder in which copies of official documentation is maintained by school psychologists, pupil personnel workers, and other related services personnel to support case management.



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

Date

V. **PROCEDURES:**

A. Collection, Maintenance, and Retention of Individual Student Non-School-Based Records

1. Departmental Individual Student Data

- a. Designated departmental staff members are responsible for the proper collection, maintenance, and retention of individual student data if such data is specifically related to the responsibilities of that department in accordance with the Board of Education policies and procedures.
- b. Category II Data necessary to a department's authorized functions may be secured from sources outside the PGCPSS System only with the written informed consent of the parent/guardian or adult student. (Form PS-16)
- c. Specific directions for maintenance of individual student data are contained in Administrative Procedure 5125 and in individual departmental procedures and guidelines.
- d. Category I Data which may be maintained by computer or other mechanical storage/retrieval devices for different departments, programs, or offices shall be limited to the data recorded on the Attendance, Personal, and Family Information Card; the Subject and/or School Performance Card; and the Standardized Test Information Card, as such cards are in use in the Prince George's County Public Schools.

Divisions, Departments, or Offices whose:

- (1) Instructional programs, subjects, or services appear on the SR-2 card may computerize such Category I Individual Data for purposes of program accountability;
- (2) Data appear on the SR-1 and SR-3 cards may computerize such Category I Data for purposes of program accountability;
- (3) Programs include computerized Category I Data may interface with the computerized Category I Data of another department or office with the authorization



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

Date

of the respective program managers and relevant directors and supervisors in the Department of Technology Applications-Student Support, as appropriate.

- e. Category II non-school-based individual student data must be limited to the minimal individual student information necessary for the compiling of statistical reports required for departmental or school system accountability, and may be mechanized/computerized when specifically authorized by the Board of Education upon its finding that such data are necessary to effect the execution of the duly authorized responsibilities of the school system or school system department. (Form PS-123)

- (1) Such specifically authorized computerized programs of Category II Data shall be accessible only to the department or office responsible for said program.
- (2) Such programs shall not interface without written authorization of the appropriate Zone Executive Director. (Form PS-124)

2. Non Cumulative Student Folder

- a. Any collection of non-school based data relevant to one particular student should be maintained only in the Non Cumulative Student Folder(s) for that particular student. This folder should be maintained in a secure location by representatives of the respective divisions, departments or offices.
- b. The non classroom based personnel (principal, pupil personnel worker, school psychologist, speech pathologist, occupational therapist, physical therapist) are primarily responsible for such a collection of individual student data from diverse sources, particularly those outside the school system. This responsibility includes the gathering, maintenance, dissemination, and retention of student data comprising this collection. However, any staff member required to use a Non Cumulative Student Folder is responsible for adhering to the proper procedures related to student records while that folder is in her/his possession.



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

Date

- c. Educationally related reports and entries may be added to the Non Cumulative Student Folder. The staff member making the entry is responsible for its content and form and shall sign and date the entry.
 - d. Non Cumulative Student Folder is Category II Data. Such Category II Data are limited to the minimal individual student information necessary for the compiling of statistical reports required for school system accountability, may only be stored electronically when specifically authorized by the Board of Education (PS-123), upon its finding that such data are necessary for the execution of the duly authorized responsibilities of the school system or school system department.
- B Access to Individual Student Non-School-Based Data (School System Personnel/Third Parties)
- All individual student records are confidential. Information may be accessed or disseminated only as follows:
1. Departmental Individual Student Data
 - a. It is the responsibility of the designated departmental staff member(s) to insure that only school system personnel with an educational need to know, shall review, use, or receive individually identifiable student data. See Section V.A.1.d. and e. for access requirements for Category I and II Data maintained by computer.
 - b. Release by any school system staff member of individually identifiable student data to parties outside the local school system, except as provided by federal law, state law, Prince George's County Board of Education Policy 5125 and Administrative Procedure 5125, requires the written informed consent of the parent/guardian or adult student. (PS-26)
 2. Non Cumulative Student Folder
 - a. Only school system personnel with an educational need to know are permitted to review, use, or receive the individually identifiable student data within the Non



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

Date

Cumulative Student Folder. A log of review shall be maintained in each such folder and be signed by all who are permitted access.

- b. Any Category I or Category II Data to be disseminated to other than Prince George's County Public School System staff members shall contain personally identifiable information only to that same student and shall not include the name or identifying information of any other student(s).
 - c. The Non Cumulative Student Folder shall be transferred to other Prince George's County Public Schools Student Services staff members when a student enrolls in another Prince George's County Public School. No formal parental notification is required. See Section V.A.2.d. for access requirements for any computerization related to the existence or content of the Non Cumulative Student Folder.
 - d. Non Cumulative Student Folder data, including agency reports, non-school professional reports, and correspondence, shall not be released to any other persons, agencies, school systems, or institutions except upon the written, informed consent of the parent/guardian or adult student. (PS-26) Third parties receiving such data, as authorized by proper parent/student consent, must be notified in writing that they may not permit any other party to have access to such data without the written, informed consent of the parent/guardian or adult student.
3. Category I and II Computerized Data
- a. Access by adults employed by the Prince George's County Public Schools (e.g., classified or professional personnel through terminals in any settings other than Prince George's County Public School System buildings to any Category I or II computerized individual student data by way of phone or modem connection to any school system computer/computer program, shall be limited to those individuals who meet all of the following criteria:
 - (1) Who have an educational need to know;
 - (2) Who have an extended illness, incapacity or special circumstance requiring such access from an off-site



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

Date

- location. Such access is only for the duration of the extended illness, incapacity, or special circumstance;
- (3) Who obtain specific authorization from their immediate supervisor and the Office of Student Applications, as appropriate; and
 - (4) A list of such approved phone/modem connections, their purpose, and duration, shall be reviewed bi-monthly by the Division of Information Technology.

- b. School-based personnel may not access Category II Data which has been centrally computerized unless authorized by the Board of Education. (PS-124)
- c. Unauthorized access to Prince George's County Public Schools Category I or II computerized, individual student data shall be immediately reported to the Superintendent who shall take appropriate disciplinary action. It is the responsibility of any employee with specific responsibility for monitoring computer time/access to make such reports.

C. Access to Individual Student Non-School-Based Records by the Parent/Guardian and Adult Student

The parent/guardian or adult student shall have access to Departmental Individual Student Data and to the Non Cumulative Student Folder according to the following guidelines:

1. Upon request by a parent/guardian or adult student to view Individual Student Non School-Based Records, the designated departmental staff member in custody of such shall make arrangements to view such records within three (3) school days following the request.
2. The parent/guardian or adult student shall review the student's non-school-based records in question with a qualified, responsible staff member. It shall be permissible for the parent/guardian or adult student to have someone of her/his choice present at this review. If the person is an attorney, the staff member may delay the record review and contact the Office of the General Counsel for further direction. All parties including the parent/guardian, attorney, and any other person with the parent/guardian will sign prior to reviewing the records. If they refuse to sign the log of review, deny the review.



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

Date

3. The parent/guardian or adult student may purchase a copy of any material contained in the student's record for a charge of twenty-five (25) cents per copy page. This fee may be waived in cases of significant, verifiable financial hardship. If copies are provided, it shall be noted in the Log of Review in the Non Cumulative Student Folder.
- D. Requests for Modification of Individual Pupil Non-School-Based Record Contents

After review of the individual student's non-school-based records with a qualified, responsible staff member, the parent/guardian or adult student may request that educational materials believed to be educationally irrelevant, inaccurate, or erroneous, be modified or expunged. The staff member will make a determination on the request and will notify the parent/guardian or adult student in writing of the decision within seven (7) school days.

Further review may be accomplished through the Zone Executive Directors as delineated in Administrative Procedures 5125, Section IV.F.2.

VI. **RELATED PROCEDURES AND REGULATIONS:**

- A. Public Law 93-380 Amendments to the Elementary and Secondary Education Act of 1965 cited as the Family Educational Rights and Privacy Act of 1974, as amended.
- B. Code of Maryland Regulations (COMAR) 13A.08.02, Student Records.
- C. Maryland Student Records System Manual of Instruction, 2008.
- D. The Pupil Accounting and School Boundaries Enrollment Manual.
- E. Administrative Procedure: Number 5125, Individual Student School-Based Records.-
- F. Administrative Procedure: Number 5125.2, Student Records: Form Management Program.
- G. Administrative Procedure: Number 5150, Student Involvement, Rights, and Responsibilities.



ADMINISTRATIVE PROCEDURE

INDIVIDUAL STUDENT
NON-SCHOOL-BASED RECORDS

5125.1

Procedure No.

January 1, 2009

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- VII. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Division of Student Services. Updating of these procedures will be accomplished by the Division of Student Services when changes are required.
- VIII. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 5125.1, date July 17, 1985.
- IX. **EFFECTIVE DATE:** January 1, 2009.

Approved by:
William R. Hite
Interim Superintendent of Schools

Distribution: Lists 1, 2, 3, 4, 5, 6, 10, 11, 12, and 13