

SOUTH SUMMIT SCHOOL DISTRICT POLICY MANUAL

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I. POLICY STATEMENT

The Board of Education intends to ensure that South Summit School District records are managed in an efficient, responsible manner and that fair and timely public access to information contained in District records is made available while protecting individual privacy rights in relation to personal data gathered by the School District. The following guidelines govern the maintenance, classification, preservation, access, and destruction of district records in compliance with the Government Records Access and Management Act (GRAMA).

II. RECORDS MANAGEMENT OFFICERS

South Summit School District records for individual schools shall be managed under the direction of the principal and/or the appointed records officer of each school and department.

The Business Administrator shall be the record officer for Board of Education minutes and all documents related to fiscal matters.

The administrator responsible for the personnel office shall maintain all records related to personnel and students, and shall serve as the District's liaison to the State Archives.

The building administrator shall be the records officer over student records.

III. RECORDS CLASSIFICATION

All records shall be classified as public, private, controlled, protected, or exempt.

The administrator responsible for the personnel office shall inform the State Archives no later than July 1 of each year of the classification of any new record series created during the previous twelve months.

IV. PUBLIC RECORDS

Public records shall include:

1. Official minutes, actions and decisions of the Board of Education and District Administration unless the record involves information which is classified as private, controlled, or protected.
2. Official District and school policies, contracts, minutes, and accounts. Electronic recordings of School Board meetings will be maintained for at least one (1) year after minutes have been officially adopted by the Board of Education.

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3. Names, gender, job titles, job descriptions, business address, business telephone numbers, number of hours worked per pay period, gross salaries, assigned hours of work, and dates of employment of all current and former employees.
4. Documents showing formal criminal charges against an employee unless, in the judgment of the Superintendent, the charges are groundless or the charges are not sustained.
5. Records showing formal charges against past or present employees.

Public records shall be open for public inspection during regular office hours.

V. PRIVATE RECORDS

Private records shall include:

1. Personnel files, including applications, nominations, recommendations, evaluations, and proposals or advancement or appointments.
2. The names of applicants and finalists for administrative positions.
3. Documents related to eligibility for unemployment benefits, social services, welfare benefits, personal finances, individual medical condition, diagnosis or military status.
4. Individual student records.

Private records shall be open only to the subject of the record and other authorized individuals or agencies. Access to student records shall be provided in accordance with the Family Education Rights and Protection Act (FERPA).



Administrative Rules and Regulations

Administrative Rule 2003-A

Board Policy 2003 District Records Management

Policy Overview:

All District and school records shall be classified as public, private, controlled, protected, or exempt.

The District Office secretary shall be the Records Manager for the District and shall inform the State Archives no later than July 1 of each year of the classification of any new record series created during the previous twelve (12) months.

Definitions

1. Record or Records includes a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics that is prepared, owned, received, or retained by the District. Under the Government Records Access Management Act (GRAMA), drafts, personal notes, calendars, and personally owned documents are not records. (UCA 63G-2-103)
2. Public Records are records that are not private, controlled, or protected and are not restricted or exempt from disclosure. Public records shall be open for public inspection during regular office hours.
3. Controlled Records are records containing medical, psychiatric, or psychological information under the Federal Health Insurance Portability and Accountability Act (HIPAA) and are only released with an individual's permission, court order, or legislative subpoena (UCA 63G-2-304)
4. Private Records are records that are generally available only to the subject of a record, legal guardian or supervisors, and administrators who need access to such information. Examples are medical data, benefit data, ethics violations, social security numbers, employee home addresses, telephone numbers, and other private information. (UCA 63G-2-302 & 303)
5. Protected Records are records that safeguard against threats to student and employee safety, building security, commercial information that could cause unfair competition, academic exams, litigation records, transcripts, minutes or reports from a closed meeting, donor or potential donor to the South Summit School District who request anonymity, etc. Protected records are available to the person who submitted the record or who has power of attorney or a notarized release to receive the record. Protected records may also be released upon a court order or legislative subpoena. (UCA 63G-2-305)
6. Restricted or exempt records are records for which there are legal requirements prohibiting or imposing financial penalties for unauthorized disclosure by federal and state legislation, such as FERPA, HIPAA, GRAMA etc. (UCA 63G-2-201(3)(b)).

Access to Records

Access may be made to records under the following conditions:

1. Public Records shall be open for public inspection during regular office hours.
2. Student Records shall be released upon parental consent except as provided in The Family Educational Rights and Privacy Act (FERPA).
3. Controlled Records shall be disclosed to:
 - a. A physician, psychologist, certified social worker, insurance provider or producer, or a government public health agency upon submission of a release detailing the terms of the disclosure from the subject of the record that is dated no more than ninety (90) days prior to the date the request is made.
 - b. Any person to whom the record must be disclosed pursuant to a court order or legislative subpoena.
4. Private Records shall be released upon appropriate written request from the subject of the records or the parent or legal guardian of an unemancipated minor who is the subject of the record. The District shall disclose private records and other private data only to:
 - a. The subject of the record or the parent or legal guardian of an unemancipated minor or legally incapacitated individual.
 - b. Any individual who has a Power of Attorney for the subject of record or submits a notarized release from the subject of record.
5. Protected Records will be released:
 - a. Upon proper request by the person who submitted the record.
 - b. Any individual who has Power of Attorney or notarized release from all persons, governmental entities, or political subdivisions whose interests were protected by the classification.
 - c. Any person to whom the record must be provided pursuant to a court order or legislative subpoena as provided by statute.

Records Registry

Public Records:

- Board Meeting Notes (except for Closed Session)
- Board Workshop Notes
- Community Council Meeting Notes

Controlled Records:

- Employee Health and Medical Records
- Student Health and Medical Records
- Student Counseling Records and Information
- Employee Demographic Information

Private Records

- Employee Medical and Benefit Information
- Employee Evaluations
- Student Discipline Records
- Academic Tests
- Student Grades and Academic Performance Information
- Student Transcripts and Historical Grades and Information

Protected Records

- Security Records and Recordings.
- Board Closed Session Transcripts, Minutes, and Recordings.
- Employee Disciplinary Records and Information

Restricted or Exempt Records:

- Student Educational Records