

2. Authorized organizations, agencies and persons from outside the school whose access requires the consent of parents or adult students shall submit their request in writing together with any required authorization, to the chief school administrator or his or her designee.

3. The chief school administrator or his or her designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage or loss. In every instance of inspection of student records by persons other than parents, students or individuals who have assigned educational responsibility for the individual student, an entry shall be made in the student record of the names of persons granted access, the reason access was granted, the time and circumstances of inspection, the records studied and the purposes for which the data will be used.

4. Unless otherwise judicially instructed, the district board of education shall, prior to the disclosure of any student records to organizations, agencies or persons outside the school district pursuant to a court order, give the parent or adult student at least three days' notice of the name of the requesting agency and the specific records requested. Such notification shall be provided in writing if practicable. Only those records related to the specific purpose of the court order shall be disclosed.

5. A record may be withheld from a parent of a student under 18 or from an adult student only when the district board of education obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When the district board of education has or obtains evidence of such court order the parent or adult student shall be notified in writing within five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.

6A:32-7.7 Rights of appeal for parents and adult students

(a) Student records are subject to challenge by parents and adult students on grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies and persons. The parent or adult student may seek to:

1. Expunge inaccurate, irrelevant or otherwise improper information from the student record;
2. Insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records; and/or
3. Request an immediate stay of disclosure pending final determination of the challenge procedure as described in this subchapter.

(b) To request a change in the record or to request a stay of disclosure pending final determination of the challenged

procedure, a parent or adult student shall notify the chief school administrator in writing of the specific issues relating to the student record. Within 10 days of notification, the chief school administrator or his or her designee shall notify the parent or adult student of the school district's decision. If the school district disagrees with the request, the chief school administrator or his or her designee shall meet with the parent or adult student to revise the issues set forth in the appeal. If the matter is not satisfactorily resolved, the parent or adult student may appeal this decision either to the district board of education or the Commissioner of Education within 10 days. If appeal is made to the district board of education, a decision shall be rendered within 20 days. The decision of the district board of education may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4, Appeals. At all stages of the appeal process, the parent or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made a part of the student record with copies made available to the parent or adult student.

(c) Appeals relating to the student records of students with disabilities shall be processed in accordance with the requirements of (b) above.

(d) Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place a statement in the student record commenting upon the information in the student record or setting forth any reasons for disagreement with the decision of the agency. Such statements shall be maintained as part of the student record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

6A:32-7.8 Retention and disposal of student records

(a) A student record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school district.

1. The school district shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

(b) Student records of currently enrolled students, other than that described in (e) below, may be disposed of after the information is no longer necessary to provide educational services to a student. Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful.

(c) Upon graduation or permanent departure of a student from the school district:

1. The parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request.

2. Information in student records, other than that described in (e) below, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful and prior written authorization has been obtained from the New Jersey State Records Committee in the New Jersey Department of State.

(d) No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.

(e) The New Jersey public school district of last enrollment, graduation or permanent departure of the student from the school district shall keep for 100 years a mandated record of a student's name, date of birth, name of parents, gender, citizenship, address, telephone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

SUBCHAPTER 8. STUDENT ATTENDANCE AND ACCOUNTING

6A:32-8.1 School register

(a) This subchapter applies to all district boards of education or private agencies which provide educational services by means of public funds.

(b) The Commissioner shall prepare and distribute a school register which shall be known as the New Jersey School Register, for recording student attendance in all public schools of the State operated by district boards of education, except adult high schools.

(c) Student attendance shall be recorded in the school register during school hours on each day the school is in session.

(d) Separate school registers shall be kept for students attending preschool, kindergarten, grades one through five, grades six through eight, grades nine through 12, each preschool class for the disabled, each class for the disabled, shared-time classes for regular students, shared-time classes for students with disabilities, full-time bilingual education

programs and vocational day programs, and summer schools operated by district boards of education.

(e) A student who has been placed on home instruction shall have his or her attendance status recorded on the regular register attendance pages for the program in which the student is enrolled. For the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement, the student shall be marked absent. No absences will be recorded for the student while on home instruction, providing the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9. The number of possible days of enrollment for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.

6A:32-8.2 School enrollment

(a) The enrollment in a class, a school or a school district shall be the total number of original entries plus the number of re-entries, less the number of transfers, withdrawals or dropouts in any such unit during a school year. The total number of original entries and re-entries, less the number of transfers, withdrawals or dropouts, in all the classes and schools of a school district shall constitute the school enrollment for that district board of education during any school year.

(b) No student attending a school operated by a district board of education shall be enrolled in more than one school register in any school district during a school year. All students shall be enrolled as of the first day of attendance for that year.

(c) No student shall be enrolled in a school register until the student has reached the following legal school age:

1. Kindergarten—more than four years and less than six years;
2. Day school—more than five years;
3. Preschool disabled—more than three years and less than five years.

(d) Within 10 days of the start of the school year, a school district shall determine whether any re-entering student who has not attended school that year has an excused absence or has transferred, withdrawn or dropped out of the school district.

(e) Any student enrolled in a school register in a school district who moves to another school district in the same school year shall be enrolled in one register in the new school district upon entering school in that school district.

(f) The average daily enrollment in a school district for a school year shall be the sum of the days present and absent of all enrolled students when schools were in session during the year, divided by the number of days schools were actually in