

## **Title 6. Education**

### **Chapter I. Division of Elementary and Secondary Education**

#### **Subchapter H. School Districts**

#### **Part 237. Rules Governing Student Permanent Records**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"1.00 REGULATORY AUTHORITY

1.02 The Rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. § 6-11-105, § 6-18-208, § 6-18-214, § 6-18-901, and § 25-15-201 et seq."

"Effective November 1, 2018"

#### **Subpart 1. Generally**

##### **6 CAR § 237-101. Title.**

This part shall be known as the Department of Education's "Rules Governing Student Permanent Records".

**Authority.** Arkansas Code §§ 6-11-105, 6-18-901.

##### **6 CAR § 237-102. Purpose.**

The purpose of this part is to apprise districts of the requirements for maintaining and producing student permanent records.

**Authority.** Arkansas Code §§ 6-11-105, 6-18-901.

##### **6 CAR § 237-103. Information maintained in student records.**

(a)(1) Every school and school district must maintain a student permanent record for each student enrolled in the district.

(2) Student permanent records may be:

- (A) Kept electronically;
- (B) Kept on paper; or
- (C) A combination of both.

(b) The following information must be maintained in a student's permanent record:

(1)(A) The student's:

- (i) Social Security number;
- (ii) Name;
- (iii) Address; and
- (iv) Telephone number.

(B) If the parent, legal guardian, or other responsible person did not provide a Social Security number, the school district must maintain the nine-digit identification number designated by the Department of Education pursuant to Arkansas Code § 6-18-208;

(2) A copy of the document indicating the child's age required for enrollment, provided by the parent, guardian, or other responsible person under Arkansas Code § 6-18-208(b);

(3) The address, home telephone number, work telephone number, occupation, and workplace of the student's:

- (A) Parents;
- (B) Legal guardians; or
- (C) Other responsible persons;

(4) The names of the student's siblings, if any;

(5) The student's emergency contact person and that person's telephone number;

(6) The student's health record, including the following:

- (A) Record of required immunizations as required by Arkansas Code § 6-18-702, or documentation of an exemption from immunization requirements under Arkansas Code § 6-18-702(d);
    - (B) Indication of disability or chronic illness;
    - (C) Allergies;
    - (D) Regularly prescribed medication;
    - (E) Hospital and doctor preference; and
    - (F) A copy of any written accident report for accidents occurring at school;
  - (7) Record of grades;
  - (8) All information concerning educational programming, including statewide student assessments, required under the Arkansas Educational Support and Accountability Act, Arkansas Code § 6-15-2901 et seq., including a chronological copy of all state-mandated assessment results;
  - (9) Student enrollment information, including:
    - (A) Entry date;
    - (B) Exit date;
    - (C) Reason for leaving, if applicable;
    - (D) Location of transfer, if applicable;
    - (E) Date of graduation, if applicable;
    - (F) Reason for dropout and age at dropout, if applicable; and
    - (G) Records of nongraduating students as required by Arkansas Code § 6-18-214;
  - (10) The student's attendance record in accordance with Arkansas Code § 6-18-213;
  - (11) A current list of credits towards graduation requirements; and
  - (12) Any other document required by federal law.
- (c)(1) The permanent student record must be maintained by each school district until the student:
- (A) Receives a high school diploma or its equivalent; or

(B) Is beyond the age for compulsory attendance under Arkansas Code § 6-18-201.

(2) Upon the transfer of a student to another district, the transferring district must maintain a copy of the student permanent record as it exists at the time of transfer until the student:

(A) Receives a high school diploma or its equivalent; or

(B) Is beyond the age for compulsory attendance under Arkansas Code § 6-18-201.

(d) Following the annexations or consolidations under Arkansas Code § 6-13-1601 and prior to any consolidation, annexation, detachment, approval of a conversion charter, or any other type of reclassification or reorganization of a school district, a receiving school district shall obtain and retain all student and historical records and documents from the affected school district, including but not limited to those items listed in Arkansas Code § 6-13-1607.

**Authority.** Arkansas Code §§ 6-11-105, 6-18-901.

**6 CAR § 237-104. Providing copies of the student record.**

(a)(1) A copy of the permanent student record must be provided to the receiving school district upon the transfer of a student to another district.

(2) The school district must provide the copy of the student's permanent record to the receiving school district within ten (10) school days after the date a request from the receiving school district is received.

(3) The school district shall not fail or refuse to provide a copy of the student's permanent student record to the receiving school district because the student owes money to the school district for school-related charges, including without limitation charges for:

(A) Food services;

(B) Unreturned library books; or

(C) Fees.

(b) Upon request by a parent, legal guardian, or the parent's or legal guardian's agent, a copy of the permanent record must be provided in a timely manner not to exceed forty-five (45) days.

(c) In addition to this part, all districts and educational agencies must comply with all federal laws related to student records.

**Authority.** Arkansas Code §§ 6-11-105, 6-18-901.