

6. Record Retention and Expungement

6.1 Purpose

Records retention and expungement policies promote efficient management of records, preservation of records enduring value, quality access to public information, and data privacy.

6.2 Scope

The John Hancock Charter School (JHCS) governing board members and staff.

6.3 Policy

The JHCS governing board and staff, shall retain and dispose of student records in accordance with federal law, state statute, Utah State Board of Education (USBE) administrative rule and JHCS governing board policy. The JHCS staff will collaborate with the Utah State Archives and Record Service in updating data retention schedules.

6.4 Expungement Request Policy

The JHCS governing board shall review all requests for records expungement from parents, based upon processes consistent with federal law, state statute, USBE administrative rule and JHCS governing board policy.

6.5 Records Expungement Procedure

Records will be expunged consistent with federal law, state statute, USBE administrative rule and JHCS governing board policy.

The procedure for expungement shall be consistent with the following process:

1. If a parent believes that a record is misleading, inaccurate, or in violation of the student's privacy, they may request that the record be expunged.
2. The JHCS governing board shall decide whether to expunge the data within a reasonable time after the request.
3. If the JHCS governing board decides not to expunge the record, they will inform the parent of their decision as well as the right to an appeal hearing.
4. The JHCS governing board shall hold the hearing within a reasonable time after receiving the request for a hearing.
5. The JHCS governing board shall provide the parent notice of the date, time, and place in advance of the hearing.
6. The hearing shall be conducted by any individual that does not have a direct interest in the outcome of the hearing.
7. The JHCS governing board shall give the parent a full and fair opportunity to present relevant evidence. At the parents' expense and choice, they may be represented by an individual of their choice, including an attorney.
8. The JHCS governing board shall make its decision in writing within a reasonable time following the hearing.
9. The decision must be based exclusively on evidence presented at the hearing and include a summary of the evidence and reasons for the decision.
10. If the decision is to expunge the record, the JHCS governing board will seal it or make it otherwise unavailable to other staff and educators.