

Student Records Being Retained by a Private School

22 Pa. Code §12.31

DATE OF ISSUE: July 1, 2002
REPLACES: Student Records Being Retained by a Private School,
BEC 22 Pa. Code §12.31, issued September 1, 1997

PURPOSE

The purpose of this Basic Educational Circular is to provide guidance regarding the practice of a private school temporarily retaining the student's records, pending resolution of an infraction of the private school's policies or a contractual dispute with a parent or guardian.

PROCEDURE

Each year school districts enroll students who have transferred from a private school. In some cases the private school temporarily retains the student's records pending resolution of an infraction of the private school's policies or a contractual dispute with a parent or guardian. The Public School Code, Section 1409, however, precludes any school, public or private, from withholding health records. Health records must be transferred upon request by the public or private school administrator.

If a private school withholds academic records or refuses to issue an official transcript, public school administrators may seek and accept information that appears reliable for student placement as proof of successfully completed coursework. Sources of reliable information may be report cards or sworn affidavits of private school teachers.

If reliable information cannot be obtained, the principal in consultation with the appropriate teacher(s) should evaluate the student promptly and determine the appropriate grade and/or courses for that student. The evaluation should consist of an interview and demonstration of the degree to which the student has achieved the academic standards of the Department of Education and the school district as required in 22 Pa. Code §4.12 and §4.13.

The student and parent/guardian should be informed in writing of the results of the evaluation and the student's placement. In no instance should a district's refusal of high school graduation be based solely on non-receipt of private school academic records. The district's strategic plan as required by 22 Pa. Code §4.13 shall describe the criteria the district uses to determine a student's attainment of academic standards for high school graduation.

School districts should develop policies and procedures to determine the placement of private school students who enroll without academic records. These policies and procedures should be added to the district's plan for collection, maintenance and dissemination of student records pursuant to and in accordance with 22 Pa. Code § 12.31 and 22 Pa. Code § 12.32.

School districts may follow the guidelines noted above and locally developed policies and procedures for any student who is presented for enrollment without previous school records, except those qualifying as students in special situations under 22 Pa. Code §4.74.

REFERENCES:

Purdon's Statutes

24 P.S. § 14-1409

State Board of Education Regulations

[22 Pa. Code §4.12](#)

[22 Pa. Code §4.13](#)

[22 Pa. Code §4.74](#)

[22 Pa. Code §12.31](#)

[22 Pa. Code §12.32](#)

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