

STUDENT RECORDS; CONFIDENTIALITY; RECORD AND GRADE CHALLENGES

The County Board of Education and County Superintendent of Schools believe that it is useful and necessary to keep accurate, comprehensive student records. Information about a student shall be used judiciously, and in ways that contribute to the student's educational welfare.

The County Superintendent or designee shall establish safeguards to protect the student and the student's family from invasion of privacy.

The County Superintendent or designee shall establish regulations governing the following:

1. The identification, description and security of student records, as well as timely access for authorized persons.
2. Parental review, inspection and right to photocopy student records.
3. The identification of categories of directory information which may be released.
4. The withholding of the student's grades, diploma or transcripts in cases involving certain student misconduct.

The County Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records at the County Office of Education level. (Code of Regulations, Title 5, 431(a))

At each school/program, the program administrator or a certificated designee shall act as custodian of records for students enrolled. (Code of Regulations, Title 5, 431(b))

The County Office of Education shall annually notify parents/guardians in writing of their right to inspect student records. This notice also shall inform parents/guardians where they can find all related information. (Education Code 49063)

Legal Reference:

EDUCATION CODE

48201 Student records for transfer students who have been suspended/expelled

48904-48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold

48918 Rules governing expulsion procedures

49060-49078 Pupil records

49091.14 Parental review of curriculum

56341.2 Examination of school records; handicapped pupil

CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

16020-16027 Destruction of records of school districts

FAMILY CODE

3025 Access to records by noncustodial parents

HEALTH AND SAFETY CODE

120440 Immunizations: disclosure of information

WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

16010 Health and education records of a minor

GOVERNMENT CODE

6252-6260 Inspection of public records

CIVIL CODE

4600.5 Joint custody Federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g)

UNITED STATES CODE, TITLE 20

1232g Family educational rights and privacy

CODE OF FEDERAL REGULATIONS, ARTICLE 34

99.1-99.67 Family educational rights and privacy

300.500 Definition of "personally identifiable"

300.501 General responsibilities of public agencies

300.502 Opportunity to examine records

300.573 Destruction of information

COURT DECISIONS

Falvo v Owasso Independent School District, 220 F.3d. 1200 (10th Cir. 2000)

Policy adopted: September 16, 1991

Revised: May 12, 2003