

Students Records, Generally

The SELPA is committed to protecting the privacy and confidentiality of student records.

Student records are defined as personally identifiable information maintained by the school system, regardless of the physical form in which it is maintained. This also includes records kept for second-party review. All personally identifiable information is confidential and covered by policy, federal and State law.

A student record does not include informal notes related to a student compiled by a school officer or employee which remain the sole possession of the note taker and are not accessible or revealed to another person, with the exception of a substitute. A substitute is a person who performs the duties of the individual who made the notes on a temporary basis, but does not refer to a person who permanently succeeds the maker of the notes in his or her position.

A school district shall not compile any other student records except mandatory or permitted records as in SELPA Policy N. 7015

Unless otherwise required or permitted by law, the SELPA shall allow access only to persons for whom the parent of the student has executed written consent specifying the records to be released and the persons to whom the records may be released.

The SELPA shall maintain a log or record for each student's record which lists all persons, agencies, or organizations requesting and/or receiving information from the records and the legitimate interests in making the request or in receiving the records. The log or record shall be open to inspection only by a parent and the school official, or her designee, responsible for the maintenance of pupil records, and to the Comptroller General of the United States, the Secretary of Health, Education, and Welfare, and administrative head of an education agency as defined in Public Law 93-380, and state educational authorities as a means of auditing the operation of the system.

The log or record need not contain requests from the following: (1) parents or pupils; (2) parties to whom the directory information is released; (3) parties to whom written consent has been executed by the parent; and (4) school officials or employees who have a legitimate educational interest.

Each local agency within the SELPA shall designate a custodian of records within the agency who shall be responsible to establish appropriate procedures for the maintenance of student records and assure the privacy of students. These procedures shall provide for a contact to receive inquiries and direct the review and release of student records in accordance with federal and State laws.

Procedures for the deletion and/or destruction of records shall be established by the public agencies within the SELPA in accordance with state and federal laws and regulations.

References:

20 USC 1412 (a)(8); 1417
EC 49061; 49062; 49069; 49069-49078; 46094; 56205 (a) (8)
Cal. Code Regs., title 5, Sec. 430(d)
FERPA

SELPA Publications:

Privacy of Education Records – A Primer