

STUDENT RECORDS

Adopted:

8/9/00

Revised:

5/13/2020

Parent Access to 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.

Parents have an absolute right to access any and all student records related to their children that are maintained by school districts. Parents shall be granted access to records without unnecessary delay, and under no circumstances no later than five (5) business days following the request. The SELPA shall comply with a request for school records without unnecessary delay before any meeting regarding individualized education program or any hearing, and in no case no more than five (5) business days after the request. The request may be made orally or in writing.

Parents must be notified in writing of their rights to inspect, review, and receive the school records of their children upon initial enrollment and annually thereafter. As far as is practicable, the notice should be in the student's home language. The notice shall include the following:

- (1) The types of student records and information which are directly related to students and maintained by the school.
- (2) The position of the official responsible for the maintenance of each type of record.
- (3) The location of the log or record of persons and organizations requesting or receiving student records.
- (4) Criteria used by the school districts in defining "school officials and employees" and in determining "legitimate educational interest".
- (5) The policies of the institution for reviewing and expunging student records.
- (6) The right of the parent to access student records.

(7) The procedures for challenging the content of the student records.

(8) The cost, if any, which will be charged to the parent for reproducing copies of records.

(9) The categories of information which the school has designated as director information.

The availability of a prospectus prepared pursuant to California Education Code section 49091.14.

References: 20 USC 1412 (a) (8), 1417
EC 49063, 49065, 49069, 56504, 49091.14
Section 438 of the General Education Provision Act

SELPA Publications: Privacy of Education Records – A Primer