

Students

STUDENT RECORDS; CONFIDENTIALITY

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent/ designee shall ensure that the District's Administrative Regulation and school site procedures for maintaining the confidentiality of student records are consistent with state and federal law.

The Superintendent/designee shall establish regulations governing the identification, description, and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect, and copy student records and shall protect the student and his/her family from invasion of privacy.

(cf. 3580 – District Records)

Therefore, it is the policy of the District that all policies and procedures pertinent to student records be in accordance with state and federal laws and regulations. Such policies and procedures shall:

1. Guarantee access to authorized persons within five working days of the requests.
2. Assure security.
3. Enumerate and describe student records collected and maintained.
4. Provide for the annual notification of right to access (including the right to receive copies and to receive competent interpretation of the records) by parent/guardian or eligible student.
5. Provide that a nominal fee may be charged for copies of records unless such fee would effectively deny access to records.
6. Specify access (disclosure) restrictions including criteria for "school official" and "legitimate educational interests."
7. Provide for an access or disclosure log.

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STUDENT RECORDS; CONFIDENTIALITY (continued)

8. Provide for the correction or removal of information.

The Superintendent will designate the Business Manager as custodian of records for the District. Principals shall be responsible for implementation of policies at the school-site level.

At each school, the principal shall act as custodian of records for students enrolled.

The custodian of the records is authorized to classify records in accordance with California Administrative Code, Title 5 regulations and District regulations.

However, permanent record classification beyond the requirements of Title 5, Section 432, shall be submitted to the Board for approval.

(cf. 3580 – District Records)

(cf. 5131.5 – Vandalism)

(cf. 6161.2 – Damaged or Lost Instructional Materials)

Legal Reference:

EDUCATION CODE

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

48904-48904.3 Withholding diplomas, grades, or transcripts

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

49060-49079 Student records

49091.14 Parental review of curriculum

51747 Independent study programs

56050 Surrogate parents

56055 Foster parents

CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

FAMILY CODE

3025 Access to records by noncustodial parents

GOVERNMENT CODE

6252-6260 Inspection of public records

HEALTH AND SAFETY CODE

120440 Immunizations; disclosure of information

WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

16010 Health and education records of a minor

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STUDENT RECORDS; CONFIDENTIALITY (continued)

CODE OF REGULATIONS, TITLE 5
430-438 Individual student records
16020-16027 Destruction of records of school districts
UNITED STATES CODE, TITLE 20
1232g Family Educational and Privacy Rights Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
300.501 Opportunity to examine records, parent participation in meetings for parents of student with disability

Management Resources:

FEDERAL REGISTER
Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy Act, December 9, 2008, Vol. 73, No. 237, pages 74806-74855
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008
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)
WEB SITES
California Department of Education: www.cde.ca.gov
U.S. Department of Education, Family Policy Compliance Office,
www.ed.gov/policy/gen/guid/fpco/index.html

Policy
Adopted: 11/13/90
Revised: 04/15/15

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California