

**POWAY UNIFIED SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURE**

Originator: Area Superintendent

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Section 431-437

ARTICLE: 5.0 STUDENT PERSONNEL

5.5 STUDENT RECORDS

SECTION 5.5.3 Maintenance and Security of Records

1. In the Poway Unified School District, the area superintendents, Learning Support Services are designated as custodians of records. In order to ensure that access to such records is limited to authorized persons, records shall be stored in locked, fire resistant containers at the school attended by the student. When the records are maintained in different locations, a notation in the central file shall be made indicating the locations of other records.
2. In each school, the principal, or a certificated designee, is designated site custodian of records. The site custodian of records is responsible for implementation of policies and procedures relating to student records maintained in that school.

Maintenance of Grades K-5 Records

1. A student record folder for grades K-5 shall include the following:
 - a. All Class A information K-8 permanent record card
 - b. All Class B information Standardized test record card (all scores K-5)
Health folder
Special Education data
Gifted and Talented Education data
Language training data
Report cards
Access log
Directory information prohibitions
Rejoinders to records (which shall be attached to the appropriate record)
Other parental authorization or prohibitions
Expulsion Records (Expulsion orders and causes thereof)
 - c. All Class C information Staff rating cards
Disciplinary folders
Behavior observations
Attendance information
Annual registration form (DP-15)
2. All Class A data shall be updated annually and maintained through Grade 12. All Class B data shall be updated annually and maintained through Grade 5, except directory information prohibitions and other parental authorizations obtained each year. These documents shall be classified as Class C disposable records following the completion of each school year.

All Class C data shall be reviewed once or more every academic year and may be classified as either a continuing or disposable record based upon its educational usefulness except that suspension records shall be maintained as continuing records.

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3. Following the completion of Grade 5, only the following information shall be classified as continuing and transferred to the appropriate middle school:
 - a. All Class A information K-8 permanent record card
 - b. Some Class B information Standardized test record card
Special Education data
Gifted and Talented Education data
Language training data
Report cards
Access log
Expulsion Records (Expulsion orders and causes thereof)
 - c. Suspension notices and other Class C information still considered to be educationally useful shall be a continuing record
4. The continuing records listed in "3" above shall be boxed alphabetically and labeled on the outside of the box with the following information:
 - Names of students whose records are contained within
 - Name of the sending school
 - Current date
 - Continuing records
 - The name of the receiving middle school
5. The remaining Class B information and all Class C information no longer considered educationally useful shall be boxed, labeled, and transported to central storage for destruction. Class B records should be labeled for destruction in not less than three years and Class C records should be labeled for destruction in not less than six months. (See Storage and Disposal of Student Records.)
6. If a student leaves the District before the completion of Grade 5:
 - a. The K-8 permanent record card shall be microfilmed and retained at central storage as a Class A permanent record.
 - b. Only the following information shall be sent to a requesting school (no signature required):
 - (1) A copy of the K-8 permanent record card (both sides)
 - (2) All Class B information
 - c. Only suspension notices and other Class C information still considered educationally useful by the site custodian of records shall be forwarded.
 - d. Class C records not forwarded should be boxed and labeled for destruction at the end of six months.

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Maintenance of Grades 6-8 Records

1. A student record folder for grades 6-8 shall include the following:
 - a. All Class A information K-8 permanent record card
 - b. All Class B information Standardized test record card
Health folder
Special Education data
Gifted and Talented Education data
Language training data
Report cards (K-8)
Access log
Directory information prohibitions
Rejoinders to records (which shall be attached to the appropriate record)
Other parental authorization or prohibitions
Expulsion Records (Expulsion orders and causes thereof)
 - c. All Class C information Staff rating cards
Disciplinary folders
Behavior observations
Attendance information
Annual registration form (DP-15)
2. All Class A data shall be updated annually and maintained through Grade 12.

All Class B data shall be updated annually and maintained through Grade 8, except directory information prohibitions and other parental authorizations obtained each year. These documents shall be classified as Class C disposable records following the completion of each school year (see Storage and Disposal of Student Records).

All Class C data shall be reviewed once or more every academic year and may be classified as either a continuing or disposable record based upon its educational usefulness except that suspension records shall be maintained as continuing records.
3. Following the completion of Grade 8, only the following information shall be classified as continuing and transferred to the appropriate high school:
 - a. All Class A information K-8 permanent record card
 - b. All Class B information Standardized test record card
Special Education data
Gifted and Talented Education data
Language training data
Report cards (6-8 only)
Access log
Expulsion Records (Expulsion orders and causes thereof)
 - c. Suspension notices and other Class C information still considered to be educationally useful shall be a continuing record

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4. The continuing records listed in "3" above shall be boxed alphabetically and labeled on the outside of the box with the following information:
 - Names of students whose records are contained within
 - Name of the sending school
 - Current date
 - Continuing records
 - The name of the receiving high school
5. The remaining Class B information and all Class C information shall be boxed, labeled, and transported to central storage for destruction. (See Storage and Disposal of Student Records.) Class B should be labeled for destruction in not less than three years. Class C records should be labeled for destruction in not less than six months.
6. If a student leaves the District before the completion of Grade 8:
 - a. The K-8 permanent record card shall be microfilmed and retained at central storage as a Class A permanent record.
 - b. Only the following information shall be sent to a requesting school (no signature required):
 - (1) A copy of the K-8 permanent record card (both sides)
 - (2) All Class B information
 - c. Only suspension notices and other Class C information still considered educationally useful by the site custodian of records shall be forwarded.
 - d. Class C records not forwarded should be boxed and labeled for destruction in not less than six months.

Maintenance of Grade 9-12 Records

1. A student record folder for grades 9-12 shall include the following:
 - a. All Class A information Four-year card
 - b. All Class B information Standardized test record card
Health folder
Special Education data
Gifted and Talented Education data
Language training data
Report cards (6-8)
Access log
Directory information prohibitions
Rejoinders to records (which shall be attached to the appropriate record)
Other parental authorization or prohibitions
Expulsion Records (Expulsion order and causes thereof)
 - c. All Class C information Staff rating cards
Disciplinary folders
Attendance information
Annual registration form (DP-15)

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2. All Class A data shall be updated annually and maintained through Grade 12, except directory information prohibitions and other parental authorizations obtained each year. These documents shall be classified as Class C disposable records following the completion of each school year (see Storage and Disposal of Student Records).

All Class C data shall be reviewed once or more every academic year and may be classified as either a continuing or disposable record based upon its educational usefulness except that suspension records shall be maintained as continuing records.

3. At the completion of Grade 12:
 - a. Four-year cards may be removed from the student folder and stored at the school site for two and one-half years, or until they are sent to be microfilmed. Thereafter, Class A records shall be boxed, labeled, and transported to central storage (see Storage and Disposal of Student Records). All microfilmed records shall be stored at central storage. Requests for transcripts will be processed by the schools. All four-year cards shall be stored for one calendar year after microfilming and then destroyed.
 - b. All Class B and C records shall be classified as disposable records, boxed, labeled, and transported to central storage for destruction. (See Storage and Disposal of Student Records.) Class B records should be labeled for destruction in not less than three years. Class C records should be labeled for destruction in not less than six months.
4. If a student leaves the District before the completion of Grade 12:
 - a. The four-year card shall be retained at the school until no longer educationally useful. Thereafter, the four-year card will be transported to central storage, microfilmed as permanent record, and retained for one year after microfilming (see Storage and Disposal of Student Records).
 - b. Only the following information shall be sent to a requesting school:
 - (1) A copy of the four-year card (both sides)
 - (2) All Class B data
 - c. Only suspension notices and other Class C data shall still considered educationally useful by the site custodian of records shall be forwarded. Class C records not forwarded shall be boxed and labeled for destruction in not less than six months.

Transfer of Records

1. When a student leaves the District, the following records shall be transferred, upon written request, to another school district or private school:
 - a. A copy of Class A records (either K-8 card or four-year card 9-12)
 - b. All class B records
2. Only suspension notices and other Class C records still considered educationally useful by the site custodian of records shall be forwarded.

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3. All student records shall be updated prior to any request for transfer.
4. If the student is a within-California transfer, the receiving school shall notify parents of the record transfer and of their rights to review, challenge, and receive a copy of the records (PP-32).

Storage and Disposal of Student Records

1. Class A, mandatory permanent records, shall be maintained indefinitely as permanent records. Only the following records shall be microfilmed, unless otherwise designated by the custodians of records or Board Policy:
 - a. K-8 permanent record card, only if a student leaves the District prior to entering high school.
 - b. Four-year card (9-12) (Note: All four-year cards (9-12) may be stored at the school site for two and one-half calendar years, or until their usefulness ceases, following the withdrawal or termination of a student.)
 - c. Thereafter, all four-year cards (9-12) shall be boxed, labeled, and transported to central storage for microfilming. They shall be stored for one additional year, and destroyed by shredding. The container shall be labeled on the outside with the following information:

Microfilm
Class A, four-year cards (9-12)
Name of school
Content identification
Current date
Date for destruction

2. Class B, mandatory interim records, shall be classified as three year disposable records, stored for not less than three years, and then destroyed by shredding. These records will be transported to central storage for destruction in containers clearly labeled on the outside with the following information:

Class B records
Name of school
Content identification
Current date
Date for destruction

3. Class C, permitted records, shall be classified as disposable records, stored for not less than six months, and then destroyed by shredding. These records will be transported to central storage for destruction in containers clearly labeled on the outside with the following information:

Class C records
Name of school
Content identification
Current date
Date for destruction

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4. Special Education Records
 - a. Parent(s) or eligible students shall be notified prior to the destruction of any Special Education records.

Access to Student Records (K-12)

1. The state law governs access to records according to the following requirements:
 - a. Access must be granted within five working days following the date of the written request.
 - b. Persons or agencies granted access are prohibited from releasing information to other persons or agencies without written consent of the parent with custody of the minor student, guardian, or adult student.
2. A written request to review school records (PP-27) may be made by parents without regard to custody, guardian, eligible student, or adult student. An appointment to review the records shall be made within five working days following the date of the request. The location of all records shall be noted in central file and made available to persons authorized to review them. The site custodian of records, or his/her certificated designee, shall be present to interpret data, where appropriate, and to prevent the alteration, damage, or loss of the records.
3. **Mandatory Access.** The following persons or agencies shall have access to student records:
 - a. Natural parents, adoptive parents, or legal guardians of students younger than age 18.
 - b. Adult students (age 18 or over).
 - c. Parent of dependent student over 17 (as determined by IRS).
 - d. Those so authorized in compliance with court order. If lawfully possible the District shall first give the parent/guardian or adult student three days notice, telling who is requesting specific records.
 - e. All school officials and employees with legitimate educational interests. A "legitimate educational interest" is defined as an employee whose assigned duties and responsibilities require that the employee have access to student records. In case of doubt, the site custodian of records may demand that the employee seeking access verify "legitimate educational interest."
4. The following persons or agencies shall have access to those particular records which are relevant to the legitimate educational interest of the requestor:
 - a. Natural or adoptive parents of a dependent student age 18 or older.
 - b. Students 16 or older or who have completed the tenth grade.
 - c. School officials and employees.
 - d. School attendance and review board members and involved school officials and employees.

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- e. Officials or employees of other public schools or school systems where educational programs leading to high school graduation are provided.
 - f. County child welfare service workers responsible for the case plan of a minor who is being placed in foster care.
5. **Permitted Access.** The following persons or agencies shall have access to the following necessary information:
- a. Appropriate persons in an emergency if health and safety are at stake.
 - b. Agencies or organizations in connection with students applying for financial aid.
 - c. Accrediting association.
 - d. Organizations conducting studies on behalf of the District.
 - e. Private schools where a student has enrolled or intends to enroll.
6. **Written Authorization.** The parent with custody or a minor student, guardian, or adult student, must sign a written authorization (PP-25) prior to permitting any person or agency access to information from a student record. The written authorization (PP-25) to release the requested information must state the reasons for requesting the information and to whom the records may be released. The authorizing parent, guardian, or adult student shall be notified of his/her right to a copy of the records requested and that a nominal fee may be charged. The above restrictions do not apply to release of directory information, unless specifically prohibited in writing. (Note: It is desirable to have the requesting person or agency obtain the written authorization rather than the school.)
7. A log of all persons or organizations requesting or receiving information from the records and the reason therefore must be maintained. Parents, guardian, eligible student, and adult student, may request to inspect the log. The log may also be inspected by the custodian of records, or his/her designee (EC 49064). A log entry is unnecessary for the following persons who have permitted access to student records:
- a. Parents
 - b. Guardians
 - c. Eligible student sixteen (16) years of age or older who has completed the tenth grade
 - d. Adult student
 - e. Persons or agencies with written authorization from the parent, guardian, or adult student
 - f. School personnel with a legitimate educational interest
 - g. Parties obtaining District-approved directory information

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Review of School Records

1. A written request to review any and all school records (PP-27) may be made by parents of a student or former student without regard for custody, guardian, eligible student, or adult student.
2. An appointment with the site custodian of records (or his certificated designee) to review the records shall be scheduled within five working days of the request.
3. District personnel shall not destroy any student records if there is an outstanding request to inspect and review the records (HEW Reg. 99.13).
4. No additions, except routine updating, shall be made to a student record after high school graduation or permanent termination of a student, without the prior written consent of the parent with custody or a minor student, guardian, or adult student.

Request to Correct Information in a Student Record and Statement or Rejoinder

1. A written request to correct information in a student record and statement of rejoinder (PP-28) may be made by a parent with custody or a minor student, guardian, or adult student.
2. The request to correct information in a student record and statement of rejoinder must be based on alleged:
 - a. Inaccuracy
 - b. Unsubstantiated statement
 - c. Statements outside the observer's area of competence
 - d. Statements not based on personal observation by the person recording the data
 - e. Violation of the privacy rights of parents or students
3. The request to correct information and the statement of rejoinder clarifying or objecting to the information in question (PP-28) shall be attached to the record in question and maintained by the District for as long as the record is classified as a continuing record (EC 49072; HEW Reg. 99.13b and c).

Request to Delete Information in a Student Record

1. A written request to delete information in a student record (PP-23) may be made by a parent with custody of a minor student, guardian, or adult student (hereinafter referred to as the "challenging party").
2. The request to delete information in a student record must be based on a alleged:
 - a. Inaccuracy
 - b. Unsubstantiated statement
 - c. Statements outside the observer's area of competence
 - d. Statements not based on personal observation by the person recording the data
 - e. Violation of the privacy rights of parents or students

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3. Within the thirty days of the written request, an appointment to meet with the Superintendent (or his/her designee) and the certificated employee who recorded the information in question (if presently employed in the District) shall be scheduled.
4. Within five days of the appointment, the Superintendent (or his/her designee) shall decide whether to approve or deny the request to delete the information in question from the school record.
 - a. If the request is approved, the information in question shall be removed from the file and classified as a Class III disposable record.
 - b. If the request is denied, the challenging party may:
 - (1) Attach a statement of rejoinder (PP-28) to the record in question (see Request to Correct Information in Student Record and Statement of Rejoinder)
 - (2) Appeal the decision, in writing, to the Poway Unified School District Board of Education within thirty days (see paragraph "5" following)
5. The procedures for appeal to the Board of Education are as follows:
 - a. Within thirty days of the receipt of an appeal notice, the Board of Education shall, in a closed session, meet the challenging party and the certificated employee who recorded the information in question (if presently employed in the District).
 - b. Within five working days, the Board of Education shall decide whether to sustain or deny the appeal. Its decision shall be final.
 - c. Records of the proceedings shall be maintained in a confidential manner. They shall be destroyed one year after the decision of the Board, unless the challenging party initiates legal proceedings in a court of law within the prescribed period.
6. Under any circumstances, the challenging party shall have the right to file a written statement of rejoinder (PP-28) to the information in question. The statement of rejoinder shall be attached to the record in question and maintained by the District for as long as the record is classified as a continuing record (EC 49072; HEW Reg. 99.13B and c).
7. At the option of either the Superintendent (or his/her designee) or the Board, a hearing panel may be selected (a) to approve or deny a request to delete information from a student record; or (b) to hear an appeal of an unfavorable decision. The decision of a hearing panel shall have the same effect as one made by the Superintendent (or his/her designee) or the Board of Education. (See EC 49071, for specific procedures)

Release of Directory Information

1. "Directory information" is hereby defined as containing not more than the following:
 - a. Student's name and address
 - b. Telephone number
 - c. Date and place of birth
 - d. Major field of study
 - e. Participation in officially recognized activities and sports

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- f. Weight and height of members of athletic teams
 - g. Dates of attendance
 - h. Degrees and awards received
 - i. The public or private school most recently attended by the student
2. Directory information shall not be released if a parent or adult student has notified the District in writing that such information shall not be released. A parent or adult student must notify the District of his/her written prohibition within thirty days of the receipt of the annual notification of parent and student rights (EC 49073; HEW Reg. 99.7c).
 3. Directory information may be released regarding any student or former student, provided written prohibition is not contained in the student record.
 4. Directory information may be disclosed by all school officials. Under no circumstances shall directory information be disclosed to private or profit-making entities other than employers, prospective employers, or representatives of news media. Names and addresses of graduating or terminating students may be released to private schools or colleges. Phone numbers will not be released. The custodian of records may deny the release of specific directory information to any public or private, nonprofit organization based on his/her determination of the best interest of a student.

Annual Notification of Privacy Rights of Parents and Students

Upon initial enrollment and at the beginning of each year thereafter, the District shall notify parents/guardians in writing that they may inspect and review student records during regular school hours with the help of certificated staff when requested. Insofar as practicable, these notices shall be written in the student's home language. Parents/guardians shall also be told where they can be informed about:

1. What types of student records are kept.
2. Where the records are kept.
3. The titles of the officials responsible for maintaining the records.
4. The location of the log identifying those who request information from the records.
5. District criteria for defining "school officials and employees" and for determining "legitimate educational interest."
6. District policies for reviewing and expunging student records.
7. District procedures for challenging the content of student records.
8. The cost, if any, charged for reproducing copies of records.
9. The categories of information defined as directory information pursuant to EC 49073.
10. Any other rights and requirements set forth in EC 49060-49078, and the right of the parents/guardians to file a complaint with the United States Department of Health, Education, and Welfare concerning an alleged failure by the district to comply with the provisions of Section 438 of the Federal Education Provisions Act (20 USCA 1232g).

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11. The location of all official student records if not centrally located.
12. The availability of qualified certificated personnel to interpret records when requested.

Reproduction of Student Records

To provide copies of any student record, the District shall charge a reasonable fee not to exceed the actual cost of reproducing, handling, and mailing (if necessary). The custodian of records shall set the fee and update the amount yearly if actual costs change.

No charge shall be made for furnishing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record.