STUDENT RECORDS

The Board of Education recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or 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 or designee shall establish administrative regulations governing the identification, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records and shall protect students and their families from invasion of privacy.

(cf. 3580 - District Records)
(cf. 4040 - Employee Use of Technology)
(cf. 5125.1 - Release of Directory Information)
(cf. 5125.3 - Challenging Student Records)

The Superintendent or designee shall designate a certificated employee to serve as custodian of records with responsibility for student records at the district level. At each school, the principal or a certificated employee shall be designated as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

Contract for Digital Storage, Management, and Retrieval of Student Records

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third-party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

(cf. 3312 - Contracts)

Legal Reference:
EDUCATION CODE
17604 Contracts
48201 Student records for transfer students who have been suspended/expelled
48853.5 Foster youth; placement, immunizations
48902 Notification of law enforcement of specified violations
48904-48904.3 Withholding grades, diplomas, or transcripts
48918 Rules governing expulsion procedures
48980 Parental notifications
48985 Notices in parent/guardian's primary language
49060-49079 Student records
49091.14 Parental review of curriculum
51747 Independent study
56041.5 Rights of students with disabilities
56050 Surrogate parents
56055 Foster parents
69432.9 Cal Grant program; notification of grade point average
STUDENT RECORDS (continued)

BUSINESS AND PROFESSIONS CODE
22580-22582 Digital privacy
22584-22585 Student Online Personal Information Protection Act

CODE OF CIVIL PROCEDURE
1985.3 Subpoena duces tecum

FAMILY CODE
3025 Access to records by noncustodial parents
6532 Caregiver’s authorization affidavit

GOVERNMENT CODE
6252-6260 Inspection of public records

HEALTH AND SAFETY CODE
120440 Immunizations; disclosure of information

PENAL CODE
245 Assault with deadly weapon

WELFARE AND INSTITUTIONS CODE
681 Truancy petitions
701 Juvenile court law
16010 Health and education records of a minor

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 Rights and Privacy Act
1232h Protection of Pupil Rights Amendment

UNITED STATES CODE, TITLE 26
152 Definition of dependent child

UNITED STATES CODE, TITLE 42
11434a McKinney-Vento Homeless Assistance Act; definitions

CODE OF FEDERAL REGULATIONS, TITLE 16
Part 312 Children’s Online Privacy Protection Rule

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
300.501 Opportunity to examine records for parents of student with disability

Management Resources:

FEDERAL REGISTER

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS
Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing Era, April 2014

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to Student Health Records, 2008

WEB SITES
California Department of Education: http://www.cde.ca.gov
National School Boards Association: http://www.nsba.org

Policy
adopted: December 12, 2017
Effective: February 1, 2018

SAN DIEGO UNIFIED SCHOOL DISTRICT
San Diego, California