



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 6526

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CATEGORY: **Students, Records**

EFFECTIVE: **1-3-80**

SUBJECT: **Records for Students With Disabilities Receiving Special Education Services (Special Instructions)**

REVISED: **7-1-09**

A. PURPOSE AND SCOPE

1. To provide administrative procedures and special instructions regarding confidentiality of records on students with disabilities which are more restrictive under Individuals with Disabilities Education Act (IDEA 97) than those in Family Educational Rights and Privacy Act.
2. **Related Procedures:**

Release of student information.....	6525
Individuals with exceptional needs.....	4230

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: H-8900; Individuals with Disabilities Act (IDEA 97).

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to Special Education Programs Division, Office of the Chief Student Services Officer.
2. **Definitions**
 - a. **Educational records:** Type of records defined in Procedure 6525.
 - b. **Destruction:** Physical destruction, or removal of personal identifiers from information in the record.
 - c. **Student:** When referring to persons with disabilities, refers to the 0 through 21 aged population.
3. **Special Requirements Imposed by Individuals with Disabilities Education Act (IDEA 97)**
 - a. **Access rights.**

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- (1) Parents/guardians have a right to inspect and review any educational record applying to their children without unnecessary delay (within 5 business days), and before any meeting regarding an Individualized Education Program (IEP) or hearing related to identification, evaluation or placement of the child.
 - (2) Right to review includes right to explanations and interpretations, copies of records if necessary to facilitate review, and right to have representatives of the parent/guardian review records. Representatives must present written authorization from the parent prior to accessing educational records.
- b. **Record of access (access log).** To be kept with, but not part of, each student's cumulative record.
- (1) In addition to name of person having access and purpose of such access, IDEA requires date of access. Access by parents/guardians and authorized employees of the district need not be entered on log (Procedure 6525).
 - (2) A listing (by name and position title) shall be maintained, for public inspection, of all persons within the district who may have access to personally identifiable information.
- c. **List of types and locations of information.** On request by a parent/guardian, a list of types and locations of educational records shall be provided to him/her.
- d. **Instruction in and responsibility for safeguarding of records.** All persons collecting and using information must receive instruction or training in applicable procedures. One person at each location shall be assigned responsibility for insuring confidentiality of any personally identifiable student information.
- e. **Destruction of information.** Parent/guardian must be notified when personally identifiable information is no longer needed to provide educational services; parent/guardian may request that the information be destroyed. (Parent/guardian should be apprised, prior to requesting destruction of records, that such information may be needed for Social Security benefits or other purposes.) However, a permanent record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and date of completion may be kept without time limitation.

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- f. **Student's rights.** The student may be afforded rights of privacy similar to those afforded to parents/guardians, taking into consideration age of the child and type or severity of disability.
 - g. **Enforcement.** Periodic audits of compliance with special requirements of IDEA will be made by both the district and the State.
- D. IMPLEMENTATION** (General provisions of Procedure 6525 apply to records of students with disabilities.)
- E. FORMS AND AUXILIARY REFERENCES** (Procedure 6525)
- F. REPORTS AND RECORDS**
- G. APPROVED BY**



General Counsel, Legal Services
For the Superintendent of Schools