

STUDENT RECORDS

Code **JRA** Issued **6/05**

Purpose: To establish the basic structure for maintenance of and access to student records.

In order to provide students with appropriate educational services, the district must maintain accurate records. In recognition of the confidential nature of student records, the district will only grant access to a student's school records in accordance with the provisions of the Family Educational Rights and Privacy Act of 1974.

The principal of each school is the legal custodian of all student records for that school.

Schools will notify the parents/legal guardians of students and/or eligible students annually of the following.

- type of records kept
- procedure for inspecting and copying student records
- right for interpretation of data contained in student records
- right to challenge data thought to be erroneous and the procedures for expunging such data or inserting a rebuttal statement
- type of information the district deems to be directory information
- process for refusing to permit the release of all or some information as directory information
- right to lodge a complaint with the U.S. Department of Education

The superintendent or his/her designee will update administrative rule JRA-R in keeping with state and federal requirements and will ensure that schools are aware of, and following, standard district procedures regarding student records.

Adopted 7/1/75; Revised 8/13/91, 10/14/97, 11/12/02, 6/14/05

Legal references:

A. United States Code, Annotated:

1. Section 438 of the General Education Provisions Act, as amended - The Family Education Rights and Privacy Act [20 U.S.C. 1232 (g)].
2. 10 USC Section 503 - National Defense Authorization Act of 1999, as amended by the Hutchinson Act.
3. P.L. 107.56 - The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act.
4. 20 U.S.C. Section 7165 (2001) - No Child Left Behind Act.
5. McKinney-Vento Homeless Education Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Sections 11431-11435.

B. South Carolina Code of Laws, 1976 as amended:

1. Section 44-29-135 - Confidentiality of sexually transmitted disease records.
2. Section 63-19-2020 - Confidentiality.
3. Section 63-19-2030 - Law enforcement.
4. Section 59-63-50 - Provides for students to be fingerprinted.
5. South Carolina School Safety Act of 1997 - Sections 16-3-612, 63-19-820, 22-3-560, 59-63-370 through 390.
6. Section 63-5-30 - Rights and duties of parents regarding minor children.
7. Section 59-38-10 - South Carolina Education Bill of Rights for Children in Foster Care.

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C. State Board of Education Regulations:

1. R43-273 - Transfers and withdrawals.

D. Court order:

1. Alexander S. by and through Bowers v Flora Brooks Boyd 876 F.Supp 773 (1995).