

PROCEDURES FOR STUDENT RECORDS

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The purpose of the Baltimore County Public Schools' Procedures for Student Records is to establish and maintain consistency among all schools, centers, and programs to preserve the rights of students and their parents/guardians to (1) have full access to all official records about those students that are maintained by the Baltimore County Public Schools, (2) remove from the student records any information about the student that is determined to be inaccurate or misleading, and (3) receive notice of and provide consent for disclosure of information in the student record.

I. Definitions

- A. Directory Information – In accordance with COMAR 13A.08.02.03, Baltimore County Public Schools has identified Directory Information as consisting of the following components contained in the educational record of a student:
1. Student's name
 2. Address
 3. Date of birth
 4. Participation in officially recognized activities and sports
 5. Weight and height of members of athletic teams
 6. Dates of attendance
 7. Degrees and awards received
- B. Eligible student – a student who has attained 18 years of age or is attending an institution of post-secondary education.

- C. School officials or authorized personnel with legitimate educational interest - Those individuals employed or contracted by the school system who need access to information in a student's record for the purpose of fulfilling professional or job responsibilities. School officials can include administrators, teachers, student support services personnel, school attorneys, internal auditors, and other regular or contractual employees acting on behalf of the school system. Authorized personnel include representatives from other agencies who participate in Student Support Teams, IEP teams, Student Assistance Teams, or other student-oriented teams involved in educational planning.
- D. Student records – Information personally identifiable to a student that is maintained in written, photographic, or electronic format. Student records consist of basic student data which includes, but is not limited to, Maryland State Department of Education forms, health information maintained by the school nurse, and other information gathered to supplement the basic student data that are needed in meeting the educational needs of the student. This information includes disciplinary records, educational assessments, psychological assessments, social histories, medical evaluations, and other information that is individually identifiable and requires consent to disclose.

II. Disclosure/Access

- A. Disclosure/Access of Student Records Information/Directory Information may be disclosed without parental consent unless the parent/guardian has submitted a request to not release directory information in writing to the school principal by October 1 of the school year or within 30 days of enrollment into school if the student enrolls after the start of school. Additionally, federal law allows the disclosure of names, addresses, and telephone listings to military recruiters unless the parent/guardian or eligible student has opted out of this disclosure.
- B. Access to student record information is limited to school officials or authorized personnel with legitimate educational interest as defined in this procedure. Release of student records information to a third party, absent a court order, requires written consent of the parents, guardians, or eligible student through submission of the BCPS' "Consent for Release of Records" form.
- C. Access to student record information may be granted to authorized representatives of other appropriate parties during emergencies involving the health and safety of the student and other individuals upon approval of the principal when: due to the seriousness of the threat and need to prevent harm, the information is needed to meet the emergency, the person(s) to whom the information is being disclosed is in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency.
- D. Each school must maintain a *Student Record Access Log*, PS 126, F1, to record any request for disclosure of personally identifiable information from student records.

School officials, authorized personnel, parents/guardians of the student, and the eligible student do not need to be entered on the log when obtaining student records information.

III. School Record-Keeping Practices and Procedures

A. There is only one student record which includes all student information. Student records information includes, but is not limited to the following:

1. Mandated Student Record Card Elements

SR Card 1	Student's Personal Data
SR Card 2	Annual Performance, PreK-8
SR Card 3	Annual Secondary School Performance
SR Card 3A	Supplemental
SR Card 4	State Mandated and Local School System Testing
SR Card 5	Health Screening
SR Card 7	Maryland Student Withdrawal/Transfer Record Statewide Educational Interview Form Immunization Data, DHMH 896 Blood Lead Certificate, DHMH 4620 Record of Health Inventory Discipline Records (minimally requires suspension notice and all disposition letters) Information required for students with disabilities: Individualized Educational Program (IEP), Special Service Information Systems (SSIS) Form, Assessment Reports, IEP Team Meeting Summary Sheets and notes, and medical assistance records

2. Student Attendance Cards, including cards for part-time enrolled students.

3. Educational assessments, psychological assessments, psychosocial assessments, social histories, and health information.

4. Residency information in accordance with Board of Education Policy and Superintendent's Rule 5150.

B. Documents unrelated to the provision of educational services gathered by teachers, student support services personnel, or other school personnel may not be included in the individual student's file without written consent of the principal and the parents/guardians or eligible student.

C. Sole possession records are not part of the student record. Sole possession records are to be kept in a secure place and will not be shared with any other person. Sole possession records may be shared with another person when that person is assuming the school's official position and needs this information to meet the needs of the student.

Sole possession records are to be destroyed when no longer useful in working with students.

D. Parent/Guardian and/or Eligible Student Review

1. Parents/guardians and eligible students have the right to inspect and review educational records. Parents/guardians or eligible students must request in writing copies of any educational records. Schools must comply with requests for such records within 45 days and must provide copies for a reasonable fee. Review of educational records by parents for students receiving services through IDEA (IEP, 504) must occur without unnecessary delay and, if requested, five days before any meeting or hearing related to the IEP or 504.

E. Requests for Records

1. Requests for material of a confidential nature or reports written by other professionals should be directed to the principal and arrangements made for interpretation by the person who wrote the report or those with the authority to interpret such reports.
2. High schools may issue a maximum of three official transcripts free of charge within one year of a student's graduation or permanent withdrawal from school. All additional requests for transcripts will carry a fee of \$2 per transcript. After the one-year period had elapsed, all requests for official transcripts and diplomas should be referred to the Office of School Counseling and a fee will be charged. The fee for a transcript is \$2. The fee for a diploma is \$3. The fee is waived for all government requests for official transcripts/diplomas. This request must be on government letterhead.
3. Requests for BCPS' psychological assessment reports by the parents/guardians or eligible student may be released directly to the parents/guardians or eligible student by the appropriate school personnel or the Office of Psychological Services. Absent a court order, all other requests for these records require written permission from the parents/guardians or eligible student. Such requests should be directed to the Office of Psychological Services.
4. Non-custodial parents are entitled to receive any information that pertains to their children's education that is routinely sent to or available to the custodial parent absent a court order.
 - a. The custodial parent is to be notified by the principal/designee when a request for records has been made by the non-custodial parent. The custodial parent may not prohibit release of the information or deny access to the student.

- b. The school shall comply with any court order concerning access to the student record secured by the custodial parent or person granted custody. The court order should be part of the student's record.
5. The courts and certain agencies have the right to subpoena school records. Immediately upon receiving a subpoena, the principal should contact BCPS's Office of Law.
6. Any county, state, or federal police agents who contact and request student information should be directed to the Office of Pupil Personnel Services.

IV. Amendment of Student Records

- A. The parents/guardians or eligible student has the right to request that a student record be amended when the parents/guardians or eligible student believes a record is inaccurate or misleading. The principal must respond in writing to the disposition of the request.
- B. If the request for amendment is denied, then the parent(s)/guardian(s) or eligible student has the right to a hearing with the appropriate administrator to challenge the content of the record.
- C. If the principal refuses to remove the information after the hearing with the appropriate administrator, the parents/guardians or eligible student contesting the information may include a statement regarding the contested information in the student's record.

V. Transfer of Student Records

A. Within Maryland Public Schools

1. Original student records may be transferred upon the request from the receiving school.
2. Student records are routinely transferred for students who transfer as a result of promotion or boundary change.
3. The original record is sent and the sending school does not need to make copies.
4. If a student transfers to an alternative school or evening high school, the sending school keeps the originals and sends copies of the following: (1) residency information, (2) immunizations, (3) emergency contact information, (4) transcripts, (5) test record, (6) health information, (7) special education records, and (8) 504 records.

B. Outside of Maryland Public Schools

1. Parents/guardians are notified by letter by the principal or designee of any request from a non- Maryland public school for student records.
2. Original records are never given to parents/guardian. Only copies may be given. A fee of 10 cents per page may be charged for all copies requested by parents/guardians.
3. Only copies of the student records are sent to any non-Maryland public school which include any psychological assessment reports and social history reports. Original mandated records as defined in this procedure remain in BCPS. An entry in Student Record Access Log must be made when records are sent to a non-Maryland public school school.

C. Records or reports of suspected child abuse or neglect may not be forwarded to any school.

D. Records of student's treatment for substance abuse or effort to obtain treatment for substance abuse may not be forwarded to any school unless written permission has been obtained from the student, even if the student is a minor.

E. Psychological assessments and social histories are part of the student record and should be included in any request for records from a receiving school. Any other requests for release to third parties should be forwarded to the Office of Psychological Services and Office of Pupil Personnel Services respectively.

VI. Retention of Student Records

A. Student records must be retained as prescribed by the Maryland State Department of Education as outlined below.

SR1 Personal Data	Permanent
SR 2 Annual School Performance Data Summary Grade levels PreK-8	Student-Age 21
SR 3 Annual Secondary School Performance Data Summary Grade Levels 9-12	Permanent
SR 4 Test Information	Student-Age 21
SR 5 Health Screening, Examinations and Evaluations, Immunization Records, and Blood Lead Certificate	Student -Age 21
SR 7 Maryland Student Transfer Record	[Student -Age 21] 3 YEARS
Discipline Records	Graduation, Completion of

High School Program
or Age 21

Statewide Education Interview Form, Exit Interview	1 year
Student Record Access Log	6 years
Attendance Card (maintained by homeroom teacher)	6 years
Residency Information	6 years
Information required for students with disabilities (IEP)	Age 24
Special Service Information Systems (SSIS)	6 years
504 Plans	6 years
Assessment Reports	6 years
IEP team meeting summary sheet and notes	6 years
Medical Assistance Records	6 years
Child Abuse and Neglect Report (maintained by principal)	Child no longer eligible or age appropriate for the level of the school

- B. Individual student records not required or specifically regulated by other state or local regulations shall be destroyed when they no longer serve legitimate educational purposes.

VII. Student Record Maintenance

Files for currently enrolled students must be maintained in a systematic, up-to-date, and easily retrievable manner in accordance with all laws, policies, rules, and student services procedures.

A. New Entrants

1. The parent/guardian must be fully informed of documents needed for enrollment, either verbally or in writing (BCPS Policy and Rule 5150). Requests regarding special transfers (Rule 5140), custody issues, shared domicile, or non-resident application (Rule 5150) will be referred to appropriate BCPS' personnel. Enrollment appointments will be scheduled as quickly as possible following initial contact from the parent/guardian.

a. Exceptions

- (1) Students who are determined by the pupil personnel worker to be homeless must be enrolled immediately with or without needed documentation. (McKinney-Vento Homeless Education Assistance Act and refer to PS 512).
- (2) Students in State-supervised Care must be enrolled within two days of notice of their pending enrollment. (COMAR).

2. The completed new entrant folder must include copies of identification information for the student (Rule 5110) and parent/guardian (Rule 5150), residency documentation (Rule 5150), immunization record (Rule 5420), and pertinent records from the previous school. If the student is transferring from a Maryland public school, the folder must also include a copy of the Maryland Student Withdraw/Transfer Record form (SR7).
3. Health records are to be separated and given to the school nurse. In the summer when the school nurse may not be available, health records are to be placed in a specific folder or box for review by the school nurse upon the nurses' arrival back to school. Notice must be given to the special education and/or Student Services Team chairperson of all new entrants who have IEPs or 504 Plans.
 - a. Best practice – Other school-based items are to be separated and distributed to the appropriate personnel (e.g. Student Emergency cards)
4. Enrollment on the BCPS' mainframe will be completed as quickly as possible following the enrollment appointment.
5. All appropriate Student Records cards (SR1-2, SR 4-7) are to be made for every new entrant to BCPS. A *Student Record Access Log*, PS 126, F1, is also to be placed in every folder (Policy 5230). Student Data is to be contacted for labels as needed.
6. New entrant folders should be stored in a separate file until all enrollment procedures are complete and the records arrive from the previous school.
7. The signed Consent for Release of Records request (BEBCO 15007 06) is to be sent to the sending school immediately upon registration of new entrants.
 - a. Best Practice – Maintain a separate list of records which have been requested. This list can be reviewed regularly in order to appraise the progress of receipt of records. Follow up is to be provided for all records which do not arrive in a timely manner.
8. Files for new entrants should be added to the current files as soon as all records arrive from the previous school.

B. Maintenance of Records

1. Student records are to be organized alphabetically by last name unless the school employs a grade organization of records. Records are alphabetized by last name, first name.

2. Student Record cards may be filed separately from cumulative files and should be organized alphabetically by last name unless the school employs a grade organization of records. Records are alphabetized by last name, first name.
3. “Cumulative” and “confidential” records are one in the same and should be filed together (BCPS Rule 5230 and PS126).
4. A student’s legal name must be used on all official records and can only be changed by order of a court (PS 120). If a court orders a student’s name change, the student’s original name must be crossed through (not erased or removed) so that it can be read and the new name typed above the former name on all records.
5. All additions to student records must be managed in a timely manner. These tasks may include, but are not limited to, sorting, distributing, filing the school copy of report cards, attaching labels for testing, attendance, credits, filing special education/504 reports, and filing discipline records (Rule 5230).
6. At the end of each academic year, Student Record cards must be brought up-to-date before the student files are transferred to the next school or filed as graduates.
7. Records of students attending BCPS’ alternative schools should be maintained in one place and labeled with the name of the alternative program.
8. Records of students in non-public (excess costs) placements should be maintained in one place and labeled “non-public.”

C. Withdrawals

1. The Maryland Student Withdraw/Transfer form (SR7) is to be completed for each student who withdraws to attend another school.
2. Files for withdrawn students should be promptly removed from current files and maintained in a separate withdrawn file until the end of the fiscal year (from July 1st to June 30th each year) or requested by the receiving school.
3. Transfer of student records follows the procedures listed in Policy 5230 and PS 126. All policies, rules, and procedures set forth in those documents must be followed for both in-county and out-of-county record transfers. A listing of dates that records were transferred is to be maintained.
4. Records for children in State-supervised Care must be sent electronically, by mail, or hand delivered within three days following receipt of notice from the receiving school.

D. Preparing Files for Scanning

When requested by the Office of School Counseling, usually spring one year after graduation, all [SR3 and] attendance (SR 1) cards must be properly prepared for microfilming/scanning. The guidelines that must be followed include:

1. All name labels must be typed, not handwritten.
2. All cards of withdraws and graduates must be interfiled alphabetically by last name, first name.

E. Final Disposition of Records

Final disposition of student records follows the procedures listed in Policy 5230 and PS 126. All policies, rules, and procedures set forth in those documents must be followed for both in-county and out-of-county record transfers. A record should be kept of dates that records were sent for shredding.

VIII. Records Room Best Practices

A. File cabinets for all current records.

1. One drawer(s) for new entrants.
2. One drawer(s) for current year withdraws.
3. Separate drawers for SR cards if maintained separately from cumulative records.

B. File cabinets for storage of previous records as described in Rule 5230.

Note: Special education records must be maintained for six years as described in Rule 5230.

1. Notebooks or other organizational system for current report cards.
2. Notebooks or other organizational system for current grade printouts.
3. Notebooks or other organizational system for all needed forms (e.g., Maryland Student Withdraw/Transfer form, SR7).
4. Notebooks for ninth grade cohorts (students entering grade nine in the same year) follow all withdraws.

Revised 1978
Revised 1984
Revised 1986
Revised 1988
Revised 1996
Revised 5/99
Revised 12/05
Revised 12/06
Revised 07/10