

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** October 19, 2010

**TO:** **BOARD OF EDUCATION**

**FROM:** Dr. Joe A. Hairston, Superintendent

**SUBJECT:** **REPORT ON THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 5230 – STUDENT RECORDS**

**ORIGINATOR:** Michele Prumo, Chief of Staff

**RESOURCE PERSON(S):** Dale R. Rauenzahn, Executive Director, Student Support Services  
Lynne Muller, Coordinator, Office of School Counseling

**RECOMMENDATION**

That the Board of Education reviews the proposed changes to Policy 5230. This is the first reading.

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Attachment I – Policy Analysis  
Attachment II – Policy 5230

**POLICY ANALYSIS FOR  
BOARD OF EDUCATION POLICY 5230  
STUDENT RECORDS**

Statement of Issues or Questions Addressed

In accordance with Rule 8130, Policy 5230 is scheduled for review in school year 2010-2011. The policy has been revised to reflect more accurately the Board's responsibilities with respect to student records under federal and state law, and to conform to the policy review committee's editing conventions.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

Board of Education Policy 5100, *Enrollment and Attendance*

Board of Education Policy 5110, *Admission*

Board of Education Policy 5420, *Health Services*

Board of Education Policy 6402, *Telecommunications Access to Electronic Information, Services, and Networks*

Legal Requirements

1. 20 U.S.C. §1232g, *Family Educational Rights And Privacy Act (FERPA)*
2. 20 U.S.C. §1400, ET SEQ., *Individuals with Disabilities Education Act (IDEA)*
3. 20 U.S.C. § 7908, *Armed Forces recruiter access to students and student recruiting information*
4. 34 CFR 300.623, *Safeguards*
5. 34 CFR Part 99, *Family Educational Rights and Privacy*
6. *Annotated Code of Maryland*, Education Article §7-111, *access to military recruiters*
7. *Annotated code of Maryland*, State Government Article §10-616, *Required denials – specific records*
8. COMAR 13A.08.02, *Student records*
9. COMAR 13A.08.07, *Transfer of educational records for children in state-supervised care*

Similar Policies Adopted by Other Local School Systems

1. Board of Education of Anne Arundel County, Policy JH-*Student Records*
2. Board of Education of Charles County, Policy 5133, *Elementary and Secondary: Progress: Student Records*
3. Board of Education of Frederick County, Maryland, Policy 421, *Student Records*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

None

Timeline

First reading – October 19, 2010

Public Comment – November 9, 2010

Third reading/vote – December 7, 2010

STUDENTS: [Elementary and Secondary] PROMOTION AND RETENTION

[Progress:] Student Records

I. PHILOSOPHY

A. The Baltimore County Board of Education (BOARD) RECOGNIZES THE RIGHTS OF PARENTS TO INSPECT AND REVIEW THEIR CHILD'S STUDENT RECORDS AND THE RIGHT TO HAVE ANY INFORMATION WHICH IS DETERMINED TO BE INACCURATE OR MISLEADING REMOVED FROM THE STUDENT RECORDS UPON REQUEST. THE BOARD RECOGNIZES ITS RESPONSIBILITY TO MAINTAIN STUDENT RECORDS IN ACCORDANCE WITH FEDERAL AND STATE LAW AND REGULATIONS AND TO PROTECT STUDENT RECORDS FROM DISCLOSURE EXCEPT WHERE FEDERAL AND STATE LEGISLATION PROVIDES FOR, OR REQUIRES, DISCLOSURE. [shall maintain for each enrolled student educational records which shall include at a minimum the following student information:

1. Personal data;
2. Student's school attendance data;
3. Annual performance;
4. Data summary prekindergarten-8;
5. Annual secondary school performance;
6. Data summary 9-12;
7. State mandated and local school system testing;
8. Disciplinary;
9. Health screening;
10. Record of physical examination; and,
11. Maryland Student Withdrawal/Transfer Record.

B. All student records will be maintained in accordance with federal and state laws governing educational records.]

II. IMPLEMENTATION

The Board [of Education] directs the Superintendent to develop rules for THE IMPLEMENTATION OF THE POLICY [maintaining student records].

Legal References: 20 U.S.C. [Section]§1232g, *FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)*  
20 U.S.C. §1400, ET SEQ., *INDIVIDUALS WITH DISABILITIES EDUCATION ACT*  
20 U.S.C. §7908, *ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION*  
34 CFR 300.623, *SAFEGUARDS*  
34 CFR Part 99, *FAMILY EDUCATIONAL RIGHTS AND PRIVACY ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-111, ACCESS TO MILITARY RECRUITERS*  
*ANNOTATED CODE OF MARYLAND, STATE GOVERNMENT ARTICLE §10-616, REQUIRED DENIALS – SPECIFIC RECORDS*  
COMAR 13A.08.02 [.01--.31], *STUDENT RECORDS*  
COMAR 13A.08.07, *TRANSFER OF EDUCATIONAL RECORDS FOR CHILDREN IN STATE-SUPERVISED CARE*

RELATED POLICIES: BOARD OF EDUCATION POLICY 5100, *ENROLLMENT AND ATTENDANCE*  
BOARD OF EDUCATION POLICY 5110, *ADMISSION*  
BOARD OF EDUCATION POLICY 5420, *HEALTH SERVICES*  
BOARD OF EDUCATION POLICY 6202, *TELECOMMUNICATIONS ACCESS TO ELECTRONIC INFORMATION, SERVICES, AND NETWORKS*

Policy  
Adopted: 4/10/69  
Revised: 6/22/78  
Revised: 3/14/06  
REVISED: \_\_\_\_\_

Board of Education of Baltimore County