

STUDENTS: Promotion and Retention

[Progress:] Student Records

I. [1.] Purpose

- [A. The provisions under this rule are intended to preserve the rights of the student and parent(s)/guardian(s) to:
1. Gain full access to all official records about the student that are maintained by the school or school system
 2. Remove from the student records any information about the student that is determined to be inaccurate or misleading.
 3. Receive notice of and provide consent for disclosure of information in the student record.]
- A. TO ESTABLISH PROCEDURES GOVERNING ACCESS TO AND DISCLOSURE OF STUDENT RECORDS IN THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS).

II. [2.] Definitions

- A. BUSINESS DAY
1. MONDAY THROUGH FRIDAY, EXCEPT FOR FEDERAL OR STATE HOLIDAYS, WHEN A LOCAL SCHOOL SYSTEM OR PUBLIC AGENCY IS OPEN FOR BUSINESS WHETHER OR NOT STUDENTS ARE REQUIRED TO BE IN ATTENDANCE FOR INSTRUCTION.
- B. [E.]Directory Information[:]
1. INFORMATION CONTAINED IN A STUDENT RECORD WHICH WOULD NOT GENERALLY BE CONSIDERED HARMFUL OR AN INVASION OF PRIVACY IF DISCLOSED.
 2. [:In accordance with COMAR 13A.08.02.03,] BCPS [Baltimore County Public Schools have] HAS DESIGNATED THE FOLLOWING CATEGORIES OF STUDENT INFORMATION AS [identified] directory information [as consisting of the following components contained in the educational record of a student]:
 - a. [1.The s] Student's name
 - b. [2.]Address
 - c. [3.]Date of birth
 - d. [4.]Participation in officially recognized activities and sports
 - e. [5.]Weight and height of members of athletic teams
 - f. [6.]Dates of attendance

- g. [7.]Degrees and awards received[.]
- C. DISCIPLINE RECORD
 - 1. THE DISCIPLINE RECORD IS PART OF A STUDENT RECORD AND, AT MINIMUM, INCLUDES ALL SUSPENSION NOTICES AND DISPOSITION LETTERS.
- D. Eligible student[:]
 - 1. A [a] student who HAS REACHED [is] 18 years of age [or older] or is attending an institution of post-secondary education.
- E. PARENT
 - 1. THE BIOLOGICAL PARENT, LEGAL GUARDIAN, OR PERSON ACTING IN THE ABSENCE OF THE PARENT OR GUARDIAN.
- F. [C.]Parental consent[:]
 - 1. [the] W[w]ritten permission given by a parent OR [(s)/]guardian[(s) or individual providing for the care or custody of a student due to serious family hardship or kinship care] for the purpose of permitting disclosure of student records. [Eligible student(s) may access their records without prior consent of the parent(s)/guardian(s).]
- G. [D.]School official[s or authorized personnel with legitimate educational interest:]
 - 1. T[t]hose individuals employed BY, or A PERSON OR COMPANY contracted by the school system who HAS A LEGITIMATE EDUCATIONAL INTEREST IN A STUDENT RECORD IN ORDER TO [need access to information in a student's record for the purpose of] fulfill[ing] professional or job responsibilities, AS DETERMINED BY BCPS.
 - 2. [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 includes representatives from other agencies who participate in student support teams, IEP teams, student assistance teams, or other student-oriented teams involved in educational planning.]
- H. Student records[:]
 - 1. THOSE RECORDS, FILES, DOCUMENTS, AND OTHER MATERIALS WHICH CONTAIN INFORMATION DIRECTLY RELATED TO A STUDENT AND ARE MAINTAINED BY THE BCPS OR BY A PARTY ACTING ON BEHALF OF BCPS. SUCH RECORDS MAY BE HANDWRITTEN, OR IN THE FORM OF PRINT, TAPE, AUDIOTAPE, FILM, MICROFILM, MICROFICHE, ELECTRONIC DATA STORAGE, OR IN ANY OTHER FORMAT OR MEDIUM. [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 which is needed in meeting the educational needs of the student. This information includes disciplinary records, educational assessments, psychological assessments, psychosocial assessments, social histories, medical evaluations, and other information that is individually identifiable and requires consent to disclose.]

III. [3.]News/Photography

- A. Students may be photographed, videotaped, audiotaped, and/or interviewed while participating in school-sponsored activities when such activities are of interest to the news media. All media activities in schools will be monitored by school staff. School administrative staff will deny access to news media if their presence is deemed disruptive to the school day or to students, or if photographing, videotaping, and/or audiotaping students is not appropriate, given the nature of a particular news story.
- B. Approval to photograph, videotape, audiotape, and/or interview students while participating in school-sponsored activities may be withheld at the parent's request. This request must be submitted in writing to the school principal no later than October 1 of the school year or within 30 days of enrollment into school, if students enroll after the start of the school year.
- C. If a school wishes to publish photographs of students, the school must comply with BOARD OF EDUCATION POLICY AND Superintendent's Rule 6202 [and use the designated forms].

IV. ARMED FORCES RECRUITER ACCESS TO STUDENT INFORMATION

- A. Federal law requires a school system to provide, ON A REQUEST MADE BY MILITARY RECRUITERS, ACCESS TO SECONDARY SCHOOL studentS' names, addresses, and telephone listings, unless THE [a] parent [(s)/guardian(s)] (or eligible student) has NOTIFIED THE SCHOOL PRINCIPAL IN WRITING THAT THIS INFORMATION NOT BE RELEASED. [opted out of such disclosure to military recruiters, when requested,]

V. [4.]Disclosure of Directory Information

- A. DIRECTORY INFORMATION MAY BE DISCLOSED WITHOUT THE CONSENT OF THE PARENT, UNLESS THE PARENT HAS TIMELY NOTIFIED THE SCHOOL PRINCIPAL THAT THE DESIGNATED INFORMATION ABOUT HIS OR HER CHILD MAY NOT BE SO DISCLOSED.
- B. Directory information may be withheld from disclosure at the parent’s request. This request must be submitted in writing to the school principal no later than October 1 of the school year or within 30 days of enrollment into school, if students enroll after the start of the school year.
- C. No directory information will be supplied over the phone.
- D. [5.]Obtaining Directory Information
 - 1. REQUESTS FOR INFORMATION FOR [Records of] 1 TO 35 STUDENTS [one to thirty-five] in a particular school SHALL BE MADE [any request for directory information involving a particular student or a group of less than thirty-six students in a specific school shall be addressed] in writing to the SCHOOL principal [of that particular school].
 - a. Schools will charge \$1.00 per page for the compilation, copying, and administrative costs associated with the production of this information.
 - 2. REQUESTS FOR INFORMATION FOR [Records of] more than 35 [thirty-five] students or [lists involving] FOR more than 1 [one] school [for directory information involving] SHALL BE MADE IN WRITING TO THE OFFICE OF STUDENT DATA. [any request (1)lists of students’ names for a school or grade of a school, (2) addresses of students, and/or (3) dates of birth of more than thirty-five student names for a particular school, a group of schools, and/or a grade level within a school or a group of schools will be communicated in writing to the Office of Student Data.]
 - a. The request [for directory information] shall [specifically] IDENTIFY THE SPECIFIC RECORDS REQUESTED, [state which lists of students’ names, addresses, and/or dates of birth for which] THE school NAME, and/or grade LEVEL [in a particular school are being requested].
 - b. The Office of Student Data will charge \$100.00 per school list for the compilation, copying, and administrative costs associated with the production of the list. [No directory information will be supplied over the phone.]
 - 3. REQUESTS FOR INFORMATION FOR [Any request for directory information involving (1)] student participation [of] in officially recognized activities and sports, [(2)] weight and height of members

of athletic teams, [(3)] dates of attendance, [of student, and/]or [(4)] degrees and awards received [by students] shall be communicated in writing to the SCHOOL principal [of the school].

- a. Schools will charge A MINIMUM OF \$1.00 per page for the compilation, copying, and administrative costs associated with the production of this information. [No directory information will be supplied over the telephone.]

VI. [6.]Annual Notification of Parent[s’/Guardians’/] (OR Eligible Student[s’]) Rights UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

A. BCPS WILL ADVISE PARENTS (OR ELIGIBLE STUDENTS) [Notification to students, parents, and guardians will be included each year] ANNUALLY OF THEIR RIGHTS UNDER FERPA. BCPS WILL SEND NOTICE OF THESE RIGHTS HOME WITH EACH STUDENT in the BCPS [Baltimore County Public Schools’] *Student Handbook* and IN THE BCPS INFORMATION [the Baltimore County Public Schools’] calendar [for distribution to all stakeholders]. This NOTICE [notification] will include:

1. The right [s of parent(s)/guardian(s), and eligible student(s)] to inspect and review student records;
2. [With the exception of grades,] T[t]he right [s of parent(s)/guardian(s) and eligible students] to SEEK amendMENT OF A student record[s] which [are] IS believed to be inaccurate, MISLEADING, OR OTHERWISE IN VIOLATION OF THE STUDENT’S PRIVACY RIGHTS;
3. THE RIGHT TO CONSENT TO DISCLOSURES OF PERSONALLY IDENTIFIABLE INFORMATION CONTAINED IN THE STUDENT’S RECORDS, EXCEPT TO THE EXTENT THAT FERPA AUTHORIZES DISCLOSURE WITHOUT CONSENT;
4. The right to file a complaint with the U.S. Department of Education CONCERNING ALLEGED FAILURES BY THE SCHOOL TO COMPLY WITH THE REQUIREMENTS OF FERPA; [if the parent(s)/guardian(s) or eligible student(s) believe their rights under *The Family Education Rights and Privacy Act (FERPA)* have been violated and efforts to resolve the situation through Baltimore County Public Schools’ appeal channels have not proved satisfactory. (See Parent(s)/Guardian(s) or Eligible Student Records Information Sheets, pages 12 and 13.)]

5. STUDENT INFORMATION THAT BCPS HAS DESIGNATED AS [categories listed designated as] directory information AND THE RIGHT OF THE PARENT TO RESTRICT THE RELEASE OF DIRECTORY INFORMATION BY BCPS. (SEE SECTION V ABOVE)
6. WHERE POSSIBLE, BCPS WILL ARRANGE TO PROVIDE TRANSLATIONS OF THIS NOTICE TO NON-ENGLISH SPEAKING PARENTS IN THEIR NATIVE LANGUAGE. [; The requirement to annually notify the principal in writing of the desire not to permit disclosure of directory information by October 1 of each school year or within 30 days of entry into school, if the student enrolled after the start of school; and.]

VII. [7.][School] RecordS[-Keeping Practices and Procedures]MANAGEMENT

- A. THE MINIMUM CONTENT OF STUDENT RECORDS, AS WELL AS THE MAINTENANCE, RETENTION, AND DESTRUCTION OF STUDENT RECORDS, WILL BE IN ACCORDANCE WITH GUIDELINES OUTLINED IN [School record-keeping practices and procedures will be in accordance with federal and state laws, regulations of the State Board of Education, and] the *Maryland STATE DEPARTMENT OF EDUCATION Student Records System Manual, STATE REGULATION, AND BCPS PROCEDURES*. A RECORD IS CREATED FOR EACH STUDENT WHO ENROLLS IN BCPS. [There is only one student record which includes all student information. Student record information includes, but is not limited to, the following.]
- B. CONTENT OF STUDENT RECORDS
 1. THE FOLLOWING RECORDS ARE MANDATED BY THE MARYLAND STUDENT RECORDS SYSTEM MANUAL OR BCPS AND SHALL BE RETAINED AS INDICATED BELOW.

<u>Mandated Student Record Card Elements</u>		<u>RETENTION</u>
SR Card 1	Student's personal data	PERMANENT
SR Card 2	Annual performance, prek-8	STUDENT AGE 21
SR Card 3	Annual secondary school performance (GRADES 9-12)	PERMANENT
SR Card 3A	Supplemental	PERMANENT
SR Card 4	State mandated and local school system testing	STUDENT AGE 21
SR Card 5	Health screening	STUDENT AGE 21
SR Card 7	Maryland Student Withdrawal/	

RULE 5230

Transfer Record	STUDENT AGE 21
Statewide Educational Interview Form	1 YEAR
Immunization data	STUDENT AGE 21
Blood Lead Certificate DHMH 4620	STUDENT AGE 21
Record of Health Inventory	STUDENT AGE 21
Discipline Records [(minimally requires suspension notice and all disposition letters)]	GRADUATION OF HIGH SCHOOL PROGRAM OR AGE 21
Medical Assistance Records	6 YEARS
Student attendance cards, including cards for part-time enrolled students	6 YEARS
Educational assessment, psychological assessments, psychosocial assessments, social histories, and health information	6 YEARS
DOCUMENTATION OF residency [information in accordance with Board of Education Policy and Superintendent's Rule 5150.]	6 YEARS
RESTRAINING ORDERS, CUSTODY DOCUMENTATION, AND COURT ORDERS	6 YEARS
<u>Information Required for Student with Disabilities:</u>	
Individualized Educational Programs (IEP)/504 PLANS	AGE 24
Special Service Information Systems (SSIS) Form	6 YEARS
Assessment Reports	6 YEARS
IEP Team Meeting Summary Sheets and Notes	6 YEARS

- C. STUDENT RECORDS DO NOT INCLUDE:
1. THE PERSONAL NOTES, RECORDS OR OTHER MEMORY AIDS MADE BY INSTRUCTIONAL, SUPERVISORY, AND ADMINISTRATIVE PERSONNEL AND EDUCATIONAL PERSONNEL FOR THE PURPOSE OF RECALLING INFORMATION, WHICH REMAIN IN THE SOLE POSSESSION OF THE MAKER AND WHICH ARE NOT ACCESSIBLE OR REVEALED TO ANY OTHER INDIVIDUAL;

2. REPORTABLE OFFENSE RECORDS;
3. CHILD ABUSE OR NEGLECT REPORTS;
4. STATE-MANDATED BULLYING AND HARASSMENT REPORTS;
5. RECORDS OF A STUDENT'S TREATMENT FOR SUBSTANCE ABUSE OR EFFORTS TO OBTAIN TREATMENT FOR SUBSTANCE ABUSE.

[8. Inclusion of Information in the Student Record

- A. Documents unrelated to the provision of educational services gathered by teachers, student support personnel, or other school personnel may not be included in the individual student's file without written consent of the principal and the parent(s)/guardian(s) or eligible student.

9. Sole Possession Records Kept by School Officials or Authorized Personnel

- A. Sole possession records kept by professionals are not part of the student record.
- B. Sole possession records are to be kept in a secure place and will not be shared with any other person. Personal notes 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. Personal notes are to be destroyed when no longer useful in working with students.]

D. Official Transcripts/Diplomas

1. [High schools may issue]A [a] maximum of three official transcripts MAY BE ISSUED BY THE STUDENT'S SCHOOL. THERE WILL BE NO CHARGE FOR TRANSCRIPTS ISSUED UNDER THIS SECTION DURING THE FIRST YEAR FOLLOWING THE [free of charge within one year of a] student's graduation or permanent withdrawal from school.
2. REQUESTS FOR ADDITIONAL TRANSCRIPTS OR REQUESTS MADE [A]After the one-year period has elapsed, [all requests for official transcripts and diplomas should] SHALL be referred to the Office of School Counseling. A FEE WILL BE ASSESSED IN ACCORDANCE WITH BCPS PROCEDURES. [and a fee is charged. The fee is waived for all government requests for official transcripts/diplomas. The request must be on government letterhead.]
3. REQUESTS FOR DUPLICATE DIPLOMAS SHALL BE REFERRED TO THE OFFICE OF SCHOOL COUNSELING. A FEE WILL BE ASSESSED IN ACCORDANCE WITH BCPS PROCEDURES.

- [4. Baltimore County Public Schools will award a high school diploma to any individual who was honorably discharged from military service and who withdrew from a regular full-time Baltimore County public school to enlist in the armed forces of the United States during World War II, the Korean Conflict, or the Vietnam Conflict. Any requests for a diploma under these circumstances should be directed to the Office of School Counseling.]

VIII. [10.]Release of [Information and Access to] Records

- A. BCPS SHALL NOT PERMIT ACCESS TO OR THE RELEASE OF STUDENT RECORDS OR PERSONALLY IDENTIFIABLE INFORMATION, EXCEPT DIRECTORY INFORMATION, WITHOUT THE WRITTEN CONSENT OF THE PARENT (OR ELIGIBLE STUDENT), OR AS IDENTIFIED BELOW.
- B. STUDENT RECORDS MAY BE RELEASED WITHOUT THE WRITTEN CONSENT OF THE PARENTS OF THE STUDENT OR THE ELIGIBLE STUDENT, IF THE DISCLOSURE IS:
 - 1. TO OTHER BCPS School Officials [and Authorized Personnel Access to student’s record information is limited to school officials] with legitimate educational interests [or authorized personnel] as defined in Section II.(G.) [2D] of this rule.
 - 2. TO COMPLY WITH A JUDICIAL COURT ORDER OR LAWFULLY ISSUED SUBPOENA IF BCPS MAKES A REASONABLE ATTEMPT TO NOTIFY THE PARENT OR ELIGIBLE STUDENT IN ADVANCE OF COMPLIANCE.
 - a. IF A SUBPOENA IS RECEIVED, STAFF MEMBERS WILL NOTIFY THE PRINCIPAL. THE PRINCIPAL WILL CONTACT THE BCPS OFFICE OF LAW FOR DIRECTION ON THE PROPER HANDLING OF THE SUBPOENA.
 - 3. TO OFFICIALS OF ANOTHER SCHOOL OR SCHOOL SYSTEM IN WHICH THE STUDENT SEEKS TO ENROLL.
 - 4. TO APPROPRIATE PERSONS IN CONNECTION WITH A HEALTH OR SAFETY EMERGENCY, IF THE KNOWLEDGE OF SUCH INFORMATION IS NECESSARY TO PROTECT THE HEALTH OR SAFETY OF A STUDENT OR OTHER PERSON.
 - 5. FOR OTHER DISCLOSURES AS ALLOWED BY FEDERAL OR STATE LAW AND REGULATIONS.
- C. THE WRITTEN CONSENT OF A PARENT (OR ELIGIBLE STUDENT) SHALL BE SECURED BEFORE SCHOOL PERSONNEL DISCLOSES PERSONALLY IDENTIFIABLE INFORMATION FROM THE

STUDENT RECORD [Release of student records information] to a third party, EXCEPT AS PROVIDED ELSEWHERE IN THIS REGULATION.

1. THE PARENT (OR ELIGIBLE STUDENT) MUST NOTIFY THE PRINCIPAL OF HIS CONSENT IN WRITING BY SUBMITTING A SIGNED AND DATED ORIGINAL [absent a court order, requires written consent of the parent(s), guardian(s) or eligible students through submission of the] BCPS [“]Consent for Release of Records[”] form. (SEE, RULE 5230, FORM A)
 2. REQUESTS FOR COPIES OF PSYCHOLOGICAL ASSESSMENT REPORTS UNDER THIS SECTION SHALL BE FORWARDED TO THE OFFICE OF PSYCHOLOGICAL SERVICES FOR HANDLING.
 3. REQUESTS FOR THE DISCLOSURE OF A STUDENT’S PROTECTED HEALTH INFORMATION FROM AN OUTSIDE AGENCY WILL BE MADE BY USING THE BCPS *AUTHORIZATION TO OBTAIN PROTECTED HEALTH INFORMATION* FORM. (SEE, RULE 5230, FORM C)
 4. BCPS MAY CHARGE A REASONABLE FEE FOR COPIES OF RECORDS PROVIDED UNDER THIS SECTION.
- D. [1.] Student record information may not be disclosed over the phone, EXCEPT TO THE RECEIVING SCHOOL [with the exception of the following: the grade and level of services under IDEA or section 504] for students in “state-supervised care[.]” WHERE BCPS IS REQUIRED TO RELEASE GRADE AND LEVEL OF SERVICE UNDER IDEA OR SECTION 504. [This information may only be disclosed to the receiving school.]
- E. [1.] Each school must maintain a record of EACH [any] request for [and excluding] disclosure of personally identifiable information from student records. The *Student Record Access Log* is to be kept with each student record. (SEE, RULE 5230, FORM B)
1. THIS REQUIREMENT DOES NOT APPLY TO:
 - a. DIRECTORY INFORMATION, AS IDENTIFIED ABOVE;
 - b. ACCESS BY SCHOOL OFFICIALS;
 - c. A FEDERAL GRAND JURY SUBPOENA OR OTHER LAWFULLY ISSUED SUBPOENA THAT HAS ORDERED THAT THE EXISTENCE OF THE CONTENTS OF THE SUBPOENA OR INFORMATION FURNISHED IN RESPONSE TO A SUBPOENA NOT BE DISCLOSED.
 - d. [Only disclosures of student record information to individuals not specified in section 2D of this rule would appear on the *Student Record Access Log*, and the parent(s)/guardian(s) or

eligible student(s) do not need to be recorded on the *Student Record Access Log*.

1. Responsibility for providing information or materials from a student record shall be processed through the school office and an administrator.
2. Access to student records may be granted to an 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:
 - a. The seriousness of the threat and the need to prevent harm.
 - b. The “need to know” information to meet the emergency.
 - c. The extent to which the parties to whom the information is disclosed are in a position to deal with the emergency.
 - d. The extent to which time is of the essence in dealing with the emergency.]

IX. [B.]RIGHT TO REVIEW AND INSPECT STUDENT RECORDS
[Parent(s)/Guardian(s)/Eligible Students]

- A. A parent[(s)/guardian(s) and] OR eligible student) has the right to inspect and review STUDENT [education] records. [Parent(s)/guardian(s) or eligible student must request in writing copies of any educational records. A log is to be kept of any telephone requests in order to validate that the caller was informed of the Board Of Education’s policy.]
- B. THE PRINCIPAL SHALL [Schools must] comply with requests for ACCESS TO A STUDENT’S RECORD WITHIN A REASONABLE PERIOD OF TIME, BUT IN NO CASE MORE THAN [such records within] 45 CALENDAR days AFTER THE REQUEST IS RECEIVED, EXCEPT WHEN ACCESS RIGHTS ARE REQUIRED UNDER IDEA:
 1. IF A STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM (IEP), THE PARENT WILL BE PROVIDED ACCESS TO THE STUDENT RECORD WITHOUT UNNECESSARY DELAY AND BEFORE ANY SCHEDULED IEP TEAM MEETING OR DUE PROCESS HEARING.
- C. A PARENT OR ELIGIBLE STUDENT SHOULD SUBMIT TO THE PRINCIPAL A WRITTEN REQUEST THAT IDENTIFIES, AS PRECISELY AS POSSIBLE, THE RECORD OR RECORDS HE OR SHE WISHES TO INSPECT. THE PRINCIPAL WILL MAKE THE NEEDED ARRANGEMENTS AS PROMPTLY AS POSSIBLE AND NOTIFY THE PARENT OR ELIGIBLE STUDENT OF THE TIME AND PLACE WHERE

THE RECORDS MAY BE INSPECTED IN THE PRESENCE OF A SCHOOL OFFICIAL.

- D. CARE SHOULD BE TAKEN TO ENSURE THAT PERSONALLY IDENTIFIABLE INFORMATION ABOUT OTHER STUDENTS IS NOT REVEALED.
- E. BCPS WILL RESPOND TO REASONABLE REQUESTS FOR EXPLANATION AND INTERPRETATION OF STUDENT RECORDS.
 - 1. WHEN PSYCHOLOGICAL DATA IS PART OF THE RECORD TO BE REVIEWED, A SCHOOL PSYCHOLOGIST SHOULD BE AVAILABLE FOR INTERPRETATION. [and must provide copies for a reasonable fee.]
 - 2. Requests for [material of a confidential nature or] INTERPRETATION OF reports written by private physicians OR RECORDS OF A CONFIDENTIAL NATURE [, Board of Education personnel, psychologists, psychiatrists, and pupil personnel workers or school social workers, school nurses, or other professionals should] WILL be directed to the [author and arrangements made for interpretation by the] person who wrote the report or those with authority to interpret such reports.
 - [1. The parent(s)/guardian(s) or eligible student has the right to request that a student record be amended when the parent(s)/guardian(s) or eligible student believes a record is inaccurate or misleading. The principal must respond in writing to the disposition of the request. 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. If the principal refuses to remove the information after the hearing with the appropriate administrator, the parent(s)/guardian(s) or eligible student contesting the information may include a statement regarding the contested information in the student's record.
 - 3. Requests for Baltimore County Public Schools' psychological assessment reports by parent(s)/guardian(s) or eligible student may be released directly to parent(s)/guardian(s) or eligible student by appropriate school personnel or by the Office of Psychological Services. Absence of a court order requests for Baltimore County Public Schools' psychological assessment reports to be released to third parties require written permission from the parent(s)/guardian(s) or eligible students. Such requests should be directed to the Coordinator of the Office of Psychological Services.]

F. RIGHTS OF Non[-]custodial ParentS

1. IF THE PARENTS OF A STUDENT ARE SEPARATED, DIVORCED, OR OTHERWISE LIVING APART, BCPS SHALL PERMIT EITHER THE CUSTODIAL OR NONCUSTODIAL PARENT TO INSPECT AND REVIEW THE STUDENT RECORDS UNLESS SUCH ACCESS HAS BEEN DENIED BY A COURT AND THE SCHOOL HAS BEEN PROVIDED WITH A COPY OF THE COURT'S ORDER.
2. Non[-]custodial parents are entitled to receive copies of report cards, test scores, school newsletters, interim reports, loss-of-credit notifications, and other information that pertains to their child's education and that is routinely sent to, or available to, the custodial parent UNLESS THERE IS [absent] a court order to the contrary.
 - a. THE NONCUSTODIAL PARENT HAS THE RESPONSIBILITY TO SUBMIT A WRITTEN REQUEST TO THE PRINCIPAL WHICH MUST INCLUDE HIS/HER NAME, ADDRESS AND TYPE OF INFORMATION DESIRED.
 - b. BCPS MAY REQUEST THAT A PARENT PROVIDE SELF-ADDRESSED, STAMPED ENVELOPES FOR SENDING THIS MATERIAL OR PAY A REASONABLE FEE FOR COPYING AND MAILING.
 - c. The custodial parent SHOULD [is to] be notified [by the principal or designee] when SUCH a request [for records] has been made. [by the non-custodial parent. The custodial parent may not prohibit the release of student records to the non-custodial parent or deny the non-custodial parent access to the student.
3. Release of student records to non-custodial parent(s) must be sought through the principal of the school or the Office of Pupil Personnel Services. This also includes whatever records remain in a school if a student is withdrawn or transferred. The school shall comply with any court order regarding the restricting or releasing of student records. Any court orders concerning access, secured by the custodial parent or person who has been granted custody, should be part of the student's file.]

G. [D.]Court[s] AGENCIES

1. The BCPS [Board of Education's] court liaison will be responsible for securing and submitting school reports to the OFFICE OF THE STATE'S ATTORNEY, Department of Juvenile Services, and the DIVISION OF PAROLE AND PROBATION [Adult Probation Department].

2. [The courts and certain agencies have the authority to subpoena school records. Immediately upon receiving a subpoena, the principal should contact the Baltimore County Public Schools' Office of Law, Greenwood, for clarification of subpoenas issued for student records.]

H. [E.] Law Enforcement Agencies

1. County, state, or federal police OFFICERS [agents] WILL BE DIRECTED TO [who] contact [and request student information should be advised to contact] the Coordinator of the Office of Pupil Personnel Services for ALL [clarification of] law enforcement requests for student records.
2. The Office of Pupil Personnel Services will be responsible for identifying the person making the request and determining whether [or not] the information WILL [should] be released. The Office of Pupil Personnel Services will [then] be responsible for releasing the information or notifying the OFFICER [party making the request] that the information WILL NOT [cannot] be RELEASED WITHOUT A SUBPOENA OR COURT ORDER [made available].

[E. A *Student Record Access Log* for individuals or parties who are not school officials or authorized personnel with legitimate educational interest and who have requested and/or obtained access to a student record must be maintained by the principal/designee or other appropriate Baltimore County Public Schools' personnel. In addition to the name(s) of the person(s) requesting/obtaining access, the *Student Record Access Log* must indicate the date of request/review and the purpose of the review. The *Student Record Access Log* is to be maintained as a part of each student record. The *Student Record Access Log* of parties who seek or obtain access to the student record must be available upon the request of the parent(s)/guardian(s) or eligible student.

F. Student Record Access Log Entries are not Required for:

1. School officials and authorized personnel as noted in section 2D of this rule;
2. Parties for whom written consent of the parent(s)/guardian(s) or eligible student has been received;
A party seeking or receiving the records as directed by a Federal Grand Jury or other lawfully issued subpoena or order where the issuing agency has ordered that the existence or the content of the subpoena or the information furnished in response not be disclosed.]

X. COPIES OF RECORDS FOR STUDENTS IDENTIFIED UNDER THE INDIVIDUALS WITH DISABILITIES ACT (IDEA)

- A. AT LEAST 5 BUSINESS DAYS BEFORE A SCHEDULED IEP TEAM MEETING OR OTHER DISCIPLINARY EDUCATION TEAM MEETING, SCHOOL PERSONNEL WILL PROVIDE THE PARENTS WITH A COPY OF EACH ASSESSMENT, REPORT, DATA CHART, DRAFT IEP, OR OTHER DOCUMENT THE TEAM PLANS TO DISCUSS AT THE MEETING.
- B. AN ASSESSMENT, REPORT, DATA CHART, OR OTHER DOCUMENT PREPARED BY A SCHOOL PSYCHOLOGIST OR OTHER MEDICAL PROFESSIONAL THAT THE IEP TEAM PLANS TO DISCUSS AT THE MEETING MAY BE PROVIDED TO THE PARENTS ORALLY AND IN WRITING PRIOR TO THE MEETING.
- C. IF SCHOOL PERSONNEL ARE UNABLE TO PROVIDE A COPY OF THE MATERIALS AT LEAST 5 BUSINESS DAYS BEFORE THE SCHEDULED MEETING BECAUSE OF EXTENUATING CIRCUMSTANCE, SCHOOL PERSONNEL ARE TO DOCUMENT AND COMMUNICATE TO THE PARENTS THE NATURE OF THE EXTENUATING CIRCUMSTANCE THAT PREVENTED SCHOOL PERSONNEL FROM PROVIDING COPIES OF THE MATERIALS.
- D. NO CHARGE FOR COPIES WILL BE ASSESSED FOR RECORDS RELEASED UNDER THIS SECTION.

XI. [12.]Review of Student Records

- A. TO ENSURE THAT STUDENT RECORDS ARE RELEVANT AND ACCURATE, A [R]review of student records [by Baltimore County Public Schools' personnel or school staff] shall occur when:
 - 1. The student transfers to the next higher level, such as from elementary to middle school, [level] or middle to high school [level];
 - 2. The student graduates from high school;
 - 3. The student withdraws for any reason.
- B. During the review [, provided that there is no outstanding request to review the record], extraneous material or records that no longer serve a legitimate educational purpose should be removed and destroyed.
- C. Student records information should not be removed from the student record if [the Parent (s)/guardian(s) and or eligible student has]:
 - 1. AN OUTSTANDING request [outstanding to review] TO INSPECT the record EXISTS;
 - 2. A LITIGATION HOLD HAS BEEN ISSUED;
 - 3. A SUBPOENA FOR THE RECORDS HAS BEEN SERVED ON BCPS.

[12. Retention of Student Records

- A. Retention of student records complies with the most recent edition of the *Records Retention and Disposition Manual for Public School System of Maryland*. (See 12C for review of record retention.)
- 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. The following documents must be maintained as part of student record:
 - 1. When there is an outstanding request to inspect and review them under COMAR 13A.08.02.13.
 - 2. Explanations placed in the education record under COMAR 13A.08.02.15 shall be maintained as provided in COMAR 13A.08.02.15d.
 - 3. The *Student Record Access Log* required under COMAR regulation 13A.08.02.20 shall be maintained for as long as the education record to which it pertains is maintained.
- C. Records Retention Schedule for Records is Prescribed by the Maryland State Department of Education

The schedule is as follows:

SR1	Personal data	Permanent
SR2	Annual School Performance Data Summary, Grade Levels Prek-8	Student-Age 21
SR3	Annual Secondary School Performance Data Summary, Grade Levels 9-12	Permanent
SR4	Test information	Student-Age 21
SR5	Health screening, examinations and evaluations, immunizations records, and blood lead certificate	Student-Age 21
SR7	Maryland Student Transfer Record Discipline Records	Student-Age 21 graduation or completion of high school program or age 21
	Statewide Education Interview Form	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 Individualized Education Program (IEP)	Age 24
	Special Service Information Systems (SSIS)	6 years

504 Plans	6 years
Assessment reports	6 years
IEP team meeting summary sheets and notes	6 years
Medical assistance records	6 years]

XII. [13.]AMENDMENT OF STUDENT RECORDS

- A. IF A PARENT (OR ELIGIBLE STUDENT) BELIEVES THAT A STUDENT RECORD IS INACCURATE, MISLEADING, OR VIOLATES THE PRIVACY RIGHTS OF THE STUDENT, HE/SHE MAY MAKE A WRITTEN REQUEST WITH THE SCHOOL PRINCIPAL TO AMEND THE RECORD.
- B. THE PRINCIPAL WILL HOLD A CONFERENCE WITH THE PARENT (OR ELIGIBLE STUDENT) CONCERNING THE REQUEST.
- C. THE PRINCIPAL WILL NOTIFY THE PARENT, IN WRITING, CONCERNING HIS/HER DECISION.
 - 1. IF AGREEMENT IS REACHED TO GRANT THE REQUEST, THE RECORD WILL BE AMENDED AS SOON AS PRACTICABLE.
 - 2. IF THE REQUEST IS DENIED, THE PRINCIPAL WILL NOTIFY THE PARENT OR ELIGIBLE STUDENT OF THE PROCEDURES FOR APPEALING THE DECISION.

XIII. [14.]Transferring of Student Records

- A. THE TRANSFER OF STUDENT RECORDS WITHIN BCPS AND TO SCHOOLS WHERE THE STUDENT SEEKS TO ATTEND WILL BE HANDLED IN ACCORDANCE WITH THE *MARYLAND STATE DEPARTMENT OF EDUCATION STUDENT RECORDS SYSTEM MANUAL* AND BCPS PROCEDURES.
- B. TO OTHER BALTIMORE COUNTY PUBLIC SCHOOLS
 - 1. Student records [may be transferred within Baltimore County Public Schools upon request from the receiving school. No copies need to be retained by the sending school. Student records] are routinely TRANSFERRED [sent to another Baltimore County public school] for students who transfer as a result of promotion or boundary change.
 - 2. If a student transfers to a Baltimore County Public Schools' alternative school or evening high school, the sending school [should] keepS the original student record and sendS copies of the [alternative program's required forms which may include the]

following: [(1)] residency information, [(2)] immunizations, [(3)] emergency contact information, [(4)] transcripts, [(5)] test record, [(6)] health information, [(7)] special education, and[(8)] 504 records.

- C. TO ANOTHER PUBLIC SCHOOL IN MARYLAND
 - 1. ORIGINAL STUDENT RECORDS MAY BE TRANSFERRED UPON THE WRITTEN REQUEST FROM THE RECEIVING SCHOOL. [Records of students transferring for any other reason shall be retained until requested by the principal/designee of the receiving school. The sending school shall not forward records absent a request from the receiving school.]
 - 2. When a student transfers to another public school in Maryland, send the original student records in their entirety including special education and discipline records.
 - 3. THE SENDING SCHOOL keeps copies of the SR Card 1 (both sides), SR2/3 Cards, current IEP, most recent assessment reports, and documentation of the disability for the student with disabilities who has received/is receiving special education services.
- D. TO PRIVATE SCHOOLS AND SCHOOLS OUTSIDE OF MARYLAND
 - 1. [When a Baltimore County Public School receives a request for student records from a non-Baltimore County public school, the Baltimore County public school principal/designee shall notify] UPON WRITTEN NOTICE FROM A NON-MARYLAND PUBLIC SCHOOL OF A STUDENT’S INTENT TO ENROLL, the parent [(s)/guardian(s)] (or eligible student) SHALL BE NOTIFIED OF THE TRANSFER OF RECORDS [of such request by forwarding a letter] to the last known address of the parent [(s)/guardian(s)](or eligible student), UNLESS THE TRANSFER OF RECORDS WAS INITIATED BY THE PARENT (OR ELIGIBLE STUDENT) AT THE STUDENT’S BCPS SCHOOL.
 - a. If a transfer request is initiated by the parent[(s)/guardians] (or eligible student)[(s)], only copies of the records may be given; [The] original records are never given to the parent [(s)/guardian(s)] (or eligible student)[(s)].
 - b. THE SCHOOL MAY CHARGE A REASONABLE FEE FOR COPIES OF RECORDS.
 - 2. UPON NOTICE OF ENROLLMENT AND ON WRITTEN REQUEST BY A NON-PUBLIC MARYLAND SCHOOL, [Once a school has received a formal request for records from a school outside of Maryland or a Maryland non-public school,] the sending school WILL FORWARD A COPY OF THE STUDENT RECORD

IN ITS ENTIRETY, INCLUDING SPECIAL EDUCATION AND DISCIPLINE RECORDS. [shall keep the original records. The sending school sends copies of the SR Card 1, SR Card 2, SR Card 3, SR Card 4, immunization data, special education information/records, and discipline records.]

3. An entry SHALL [should] be made in the *Student Record Access Log* indicating where the student records were transferred [when sent to a school outside of Baltimore County Public Schools. Entry of the request on the *Student Record Access Log* should be done] prior to making the final copy of the log.

- [D. Psychological assessment reports are part of the student record and are forwarded to a receiving school upon receipt of a formal request for records. All other requests for Baltimore County Public Schools' psychological assessment reports to be released to third parties should be directed to the Coordinator of the Office of Psychological Services.
- E. Social history reports are part of the student record and are forwarded to a receiving school upon receipt of a formal request for records. All other requests for Baltimore County Public Schools' social history reports to be released to third parties should be directed to the Coordinator of the Office of Pupil Personnel Services.
- F. Records or reports of suspected child abuse or neglect are not considered to be part of the student record and may not be forwarded to any school.
- G. Records of a student's treatment for substance abuse or effort to obtain treatment for substance abuse are not considered to be part of the student record and may not be forwarded to any school unless the sending school has obtained written consent of the student, even if the student is a minor.
- H. The Baltimore County Public Schools' consent form, *Authorization to Obtain Protected Health Information*, must be used to obtain health information from an outside agency.]

LEGAL REFERENCES: 20 U.S.C. §1232G, *FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)*
 20 U.S.C. §1400, ET SEQ., *INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)*
 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, STUDENT RECORDS
COMAR 13A.08.07, TRANSFER OF EDUCATIONAL
RECORDS FOR CHILDREN IN STATE-SUPERVISED CARE*

Rule	Superintendent of Schools
Approved: 9/25/69	
Revised: 6/22/78	
Revised: 6/15/99	
Revised: 3/14/06	
Revised: 11/08/06	
REVISED: _____	

**PARENT(S)/GUARDIAN(S) OR ELIGIBLE STUDENT
RECORDS INFORMATION SHEETS**

In accordance with Maryland law, Baltimore County Public Schools (hereinafter, BCPS) are providing parents, legal guardians, or eligible students (hereinafter, parent) with this annual notification of rights.

1. Confidentiality

Student records maintained by BCPS are confidential in nature and access to these records may be granted only for the purpose of serving legitimate and recognized educational ends. Prior parent consent is not required to forward records when a student transfers to another school or school system.

2. Access to Records

Student records maintained by BCPS shall be available to the student’s parents for review and inspection in conference with appropriate school personnel. If a student is 18 years or older, rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student. Maryland law provides that student records may be released by BCPS to other educational or specific governmental agencies, to persons involved in approved research projects, to comply with certain judicial orders, or in certain health and emergency situations.

3. Request to Amend Student Records

The parent of a student, who believes the information contained in the student records is inaccurate or misleading or violates the privacy rights of the student, may request in writing that BCPS amend that record. The principal of the student’s school or the appropriate administrator of an office shall decide whether or not to amend the student record in a reasonable period of time. If the parent is dissatisfied with the refusal to amend the student record, then the parent has the right to request a hearing before the appropriate administrator.

4. News/Photography

Students may be photographed, videotaped, audiotaped, and/or interviewed while participating in school-sponsored activities when such activities are of interest to the news media. All media activities in schools will be monitored by school staff. School administrative staff will deny access to news media if their presence is

deemed disruptive to the school day or to students or if photographing, videotaping, and/or audiotaping students is not appropriate, given the nature of a particular news story.

Approval to photograph, videotape, audiotape, and/or interview students while participating in school-sponsored activities may be withheld at the parent's request. This request must be submitted in writing to the school principal no later than October 1 of the school year or within 30 days of enrollment into school, if students enroll after the start of the school year.

5. Directory Information

BCPS has a policy of disclosing personally identifiable information from student records which does not require parent consent. This information is commonly referred to as "directory information." The following information has been designated as "directory information" by BCPS: student's name and address; date of birth; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; and degrees and awards received. You are hereby advised that this "directory information" may be withheld from disclosure at the parent's request. This request must be submitted in writing to the school principal no later than October 1 of the school year or within 30 days of enrollment into school, if students enroll after the start of the school year.

6. BCPS Review of Students Records

BCPS policy allows a periodic review of each student's educational records by school personnel for the purpose of deleting any unnecessary or outdated items from a student's record. This review also takes place at the time a student transfers from or otherwise leaves a school. For details of the BCPS' policy concerning the use, maintenance, and transfer of student records, [contact your school principal] THE PRINCIPAL SHOULD BE CONTACTED.

Baltimore County Public Schools CONSENT FOR RELEASE OF RECORDS

1. I hereby authorize _____
Name of School, Individual, or Agency

Street Post Office State Zip

To release information concerning:

Name of Student (Full Legal Name)

2. Type of record(s) to be released:

School and/or
health records

Transcript for post-
secondary education

Transcript for
employment

other; specify _____

3. Reason for release of record(s), if other than transcript: _____

4. Record(s) to be released to the following:

5. Date sent:

Name Address

Name Address

Name Address

(Use reverse side for additional recipients)

I understand that the recipient of the record(s) will use the material for legitimate interests only and that the information contained therein shall not be further DISCLOSED [transferred or communicated] to any other party or agency without my PRIOR written consent, except AS AUTHORIZED BY FEDERAL AND STATE LAWS under authority or [Public Law 93-380,] OF THE FAMILY. Educational Rights and Privacy Act, 20 U.S.C. §1232G.

Date Signature of parent or legal guardian or, if student is age 18 or over, the signature of the student.

NOTE: All material contained in the student's record is accessible to the student and/or the parent(s) subject to applicable policies of the Board of Education of Baltimore County.

BALTIMORE COUNTY PUBLIC SCHOOLS
Student Record Access Log

Student’S Name: _____

Date of Birth: _____

Date	Name	Title	Reason for Review

Baltimore County Public Schools
AUTHORIZATION TO RELEASE PROTECTED HEALTH INFORMATION

NAME OF STUDENT	DATE OF BIRTH	SOCIAL SECURITY NO.	SCHOOL
<p>BY MY SIGNATURE BELOW, I AUTHORIZE _____ TO DISCLOSE THE FOLLOWING PROTECTED HEALTH INFORMATION ("PHI") TO _____.</p>			
<p>PHI REQUESTED:</p>			
RECIPIENT OF PHI	ADDRESS	CITY STATE ZIP	
RECIPIENT OF PHI	ADDRESS	CITY STATE ZIP	
<p>FOR THE FOLLOWING PURPOSES:</p>			
<p>This authorization will expire on the following date: _____. The expiration date can be no longer than one year from today's date. If I fail to specify an expiration date, this authorization will expire in one year.</p> <p>I understand that I may revoke this authorization in writing at any time, except to the extent that Baltimore County Public Schools' employees or agents have acted upon this authorization. My written revocation must be submitted to:</p> <p>Privacy Officer – Employee Benefits Baltimore County Public Schools 1946 Greenspring Drive Timonium, MD 21093</p> <ul style="list-style-type: none"> • I understand that if the organization authorized to receive information is not a health plan or health care provider and if such information is re-disclosed by the recipient, the released information may no longer be protected by federal privacy regulations, but may be protected under Maryland Law. • I understand that authorization is voluntary. • I understand that I may receive a copy of this form after I sign it and that I may inspect and request a copy of the information I am authorizing for use/disclosure. 			
SIGNATURE OF PATIENT/PATIENT'S REPRESENTATIVE		RELATIONSHIP TO PATIENT	
PRINT NAME		DATE	