



Administrative Regulation
Chapter 5 – Student Services

AR 5045 STUDENT RECORDS: CHALLENGING CONTENT AND ACCESS LOG

Any student may challenge the content of their student records pursuant to Education Code section 76232. The decision of the Superintendent/President and Board of Trustees must be in writing.

A. Challenging Content or Correction of Education Records

1. Any student may file a written request with the Superintendent/President to correct or remove information recorded in their student records which the student alleges to be:
 - (a) inaccurate;
 - (b) an unsubstantiated personal conclusion or inference;
 - (c) a conclusion or inference outside of the observer's area of competence; or
 - (d) not based on the personal observation of a named person with the time and place of the observation noted.
2. Within 30 days of receipt of the request, the Superintendent/President, or their designee shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the District. The Superintendent/President or their designee shall then sustain or deny the allegations.
3. If the Superintendent/President, or their designee sustains any or all of the allegations, they shall order the correction or removal and destruction of the information.
4. If the Superintendent/President, or their designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the Board of Trustees.
5. Within 30 days of receipt of an appeal, the Board of Trustees shall, in closed session with the student and the employee who recorded the information in question, if any, and if that employee is presently employed by the District, determine whether to sustain or deny the allegations.
6. If the Board of Trustees sustains any or all of the allegations, it shall order the Superintendent/President, or their designee, to immediately correct or remove and destroy the information.
7. The decision of the Board of Trustees shall be final.
8. Records of these administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the Board of Trustees unless the student initiates legal proceedings relative to the disputed information within the prescribed period.

9. If the final decision of the Board of Trustees is unfavorable to the student or if the student accepts an unfavorable decision by the Superintendent/President, the student shall have the right to submit a written statement of their objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.
10. Whenever there is included in any student record information concerning any disciplinary action, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.

B. Access Log

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need **not** include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student;
- Officials or employees having a legitimate educational interest.

The log or record shall be open to inspection only by the student and the Superintendent/President, or their designee, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

References:

Education Code Sections 76222, 76232, 71091 and 76200 et seq.;

Title 5 Sections 54630, 59022-59026, 59118, 54600 et seq.;

20 U.S. Code Section 1232 g(j) (U.S. Patriot Act);

Civil Code Section 1798.85; 1788.90 et seq

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