

*Policy*

**STUDENT RECORDS**

*Code JR Issued 3/16/22*

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

A student and his/her parents/legal guardians will have access to the student's school records.

On an annual basis, the school will notify parents/legal guardians and adult students of their rights concerning student records, including:

- type of records kept
- procedure for inspecting and copying these records
- right for interpretation of data contained in student records
- right to challenge data thought to be erroneous, the procedures for expunging such data, or inserting a rebuttal statement
- the type of information the district deems to be directory information
- the process for refusing to permit the release of all or some directory information
- right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented

The educational records or school records include all materials directly related to a student which a school maintains. Records and notes maintained by a teacher, administrator, school nurse, guidance counselor, or school psychologist for his/her own use, and which are not made available to others, are exempted from this definition of school records.

The superintendent will establish administrative regulations for compliance with the Family Educational Rights and Privacy Act and other applicable acts and regulations. Generally, the school will require prior written consent before a student's education record or personally identifiable information is disclosed to third parties, subject to certain exemptions and exceptions set forth in the administrative rule to this policy.

The principal will maintain juvenile records and information provided by state agencies or the court in accordance with this policy and applicable district procedures.

The principal will destroy such juvenile records upon the juvenile's completion of secondary school, or when the juvenile reaches 21 years of age, whichever occurs earlier.

Adopted 8/21/04; Revised 3/15/22

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Legal references:

- A. United States Code of Laws, as amended:

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1. Family Education Rights and Privacy Act of 1974, 20 U.S.C.A. Section 1232(g).
- B. S.C. Code of Laws, 1976, as amended:
1. Section 44-29-135 - Confidentiality of sexually transmitted disease records.
  2. Section 59-1-490 - South Carolina Department of Education Data Use and Governance Policy.
  3. Section 59-38-10 - South Carolina Education Bill of Rights for Children in Foster Care.
  4. Section 59-63-370 - Administrator notification of a student's conviction or delinquency adjudication for certain offenses; placement of information in permanent school records.
  5. Section 63-5-30 - Rights and duties of parents regarding minor children; access to educational records.
  6. Section 63-19-2020 - Confidentiality of juvenile records.
  7. Section 63-19-2030 - Confidentiality of student law enforcement records.
- C. S.C. State Board of Education Regulations:
1. R43-273 - Transfers and withdrawals.
- D. S.C. Department of Archives and History Regulations:
1. R12-901, et seq. - Article 9 - General retention schedules for school districts.