

**JR-R Student Records**

3/8/17

**RATIONALE/OBJECTIVE:**

The goal of the Cobb County School District (District) is that the academic, attendance, disciplinary and health records necessary for maintaining thorough and current information on each student in the District should be properly kept by principals, teachers, counselors and other designated personnel in compliance with state and federal law, including the Student Data Privacy, Accessibility, and Transparency Act of Georgia and the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.

**RULE:****I. STUDENT RECORDS****A. GENERAL PROVISIONS:****1. Educational Records:**

FERPA broadly defines an education record as any record, file, document or other material that contains information directly related to a student and that is maintained by a school district or a person acting on behalf of a school district. 20 U.S.C. § 1232g(a)(4)(A). Possible exclusions to education records are discussed in 20 U.S.C. § 1232g(a)(4)(B).

**2. Confidentiality:**

Information which is part of the educational record of a student shall be held in strict confidence. Permanent records shall be kept in a secure area of the school. The school and District will use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. This may include, but is not limited to, physical or technological access controls.

**3. Parent:**

A natural parent, guardian, or an individual acting as a parent in the absence of a parent or guardian.

**4. Eligible Student:**

A student who has reached 18 years of age or is attending an institution of postsecondary education.

**5. Student Debts:**

The forwarding of records for students who have unpaid debts related to lost or damaged materials or equipment shall be in accordance with Administrative Rule DFJ-R (District Property Replacement/Restitution).

**6. Transcript Charges/Delivery:**

- a. The District shall provide one (1) copy of a student record without charge.
- b. The cost of additional copies of a student's transcript produced by the school shall be posted on the District website.
- c. The cost for each copy of a student's transcript or verification of education produced by Records Management, Cobb County School District, shall be posted on the District website.
- d. The District shall charge \$.25 per page for copies of student records released to third-parties and for additional copies of records that have been previously provided to the parent/guardian/eligible student. Should education records be requested by a current medical or educational service provider of the child, by another school or government agency, Guardians Ad Litem, Court Appointed Special Advocates (CASAs), or pursuant to court order or subpoena, the District may waive the \$.25 per page fee for provision of copies of education records.

- e. Official transcripts may be requested via an online request program, the last school attended or the District's Records Management Office. Transcripts may be picked up at the school or Records Management Office, mailed to the post-secondary school or to other agencies upon direction of the parent/eligible (former or current) student, or electronically released to colleges using GAcollge 411 or online transcript request program. The official transcript that is picked up or mailed will be:
  - (1) Sealed in an envelope with a signature or stamp to secure confidentiality; and
  - (2) Signed for in the guidance office by the receiving individual.
- f. Students who wish to release transcripts to colleges using GAcollge411 must first set up a student account. All requests for electronic release may be completed by following the directions contained in [www.gacollge411.org](http://www.gacollge411.org) or the online transcript request program.

**7. Records Custodians:**

The following is a list of the type of records that the District maintains, their locations, and their custodians:

TYPES OF RECORDS	LOCATION OF RECORDS	RECORD CUSTODIAN
Active Student Records: Current students and students having withdrawn or graduated for less than two years	Most recent school attended	Principal
Inactive Student Records: Former students (Students withdrawn or having graduated for more than two years)	Records Management Center 6975 Cobb International Blvd. Kennesaw, GA 30152	Office of Records Management
Discipline Records	School Administrative Office	Principal
Special Education Records Psychological Records Special Test Records	Office of Special Student Services 514 Glover Street Marietta, GA 30060	Assistant Superintendent for Special Student Services
School Transportation Records	School Bus Garage	Director of School Transportation

**8. District Records Center:**

The Records Center maintains records, including transcripts, of students who have graduated or withdrawn from the District as required by Georgia Records Retention schedules. To obtain records from the Records Center:

- a. Complete an online transcript request located on the District website (<http://www.cobbk12.org/aboutccsd/records/>).
- b. A student making a request for his/her own records must be an eligible student;
- c. Parents/Guardians may obtain or authorize the release of education records, including a transcript, for students under the age of 18.
- d. The individual requesting the record may be required to provide a government issued photo ID (e.g. driver's license, passport, etc).

**B. ACTIVE STUDENT RECORDS:**

An active student record shall be established for all students entering the District:

- 1. It shall be the responsibility of the personnel registering the student to acquire the necessary releases to obtain a student's record (Administrative Rule JBC-R [School Admissions/Withdrawals]).
- 2. The Principal should designate the school personnel responsible for creating and/or updating the active student record.
- 3. The record should be written legibly in black ink and corrected appropriately:

- a. Entries should be dark enough to be copied clearly on a standard bond paper copy machine.
  - b. If a mistake is made in recording information, the error must be corrected so that the record does not give the appearance that it has been altered by unauthorized persons.
4. **Required Information:**  
Information recorded must include the following:
- a. Personal information (Student's full legal name only and date of birth);
  - b. Immunization record;
  - c. Indication of administrative placement or retention in grades K-8;
  - d. Standardized test information;
  - e. Grade levels for each school year;
  - f. Date of withdrawal; for "no shows," indicate with "N/S 20" ;
  - g. **Graduation:**
    - (1) Date of graduation;
    - (2) Rank in class and grade point average for graduation;
    - (3) Records of students who meet the requirements to graduate from the District but receive their diploma from another school system will reflect that the student is a graduate. The record should be marked with the following statement: "Graduation requirements met (date). Diploma received from (name of school or school system, city, and state and country, if the diploma is awarded by an agency in a foreign country)."
  - h. **Withdrawals:**  
See Part II below.
5. **Challenge of Contents:**  
Parents/guardians/eligible students may challenge the contents of their/their child's education records and request corrections if they feel entries on the records are inaccurate, misleading, or otherwise in violation of the privacy rights of the student. However, a properly recorded grade or score may not be challenged for the purpose of having it changed to a different grade. (Please note that this challenge process is separate from that outlined in Section E, below regarding student data privacy.) The review procedure for challenging entries is as follows:
- a. **Step I:**  
When a parent/guardian/eligible student wishes to challenge entries on a record, the request shall be submitted to the Principal of the school in which the student is or has been enrolled. The Principal or designee shall investigate the complaint and endeavor to settle the matter.
  - b. **Step II:**  
If the conflict is not resolved at the school level, the complaining party must submit a request in writing to the appropriate Leadership and Learning Assistant Superintendent for a hearing by a review board within ten (10) business days of receiving a response from the local school Principal or designee. This hearing should be held within twenty (20) business days of receipt of the request. The parents/guardians/eligible students shall be given reasonable notification of the date, place, and time of the hearing. The complaining parties will have a full and fair opportunity to present evidence, and may be represented by a person of their choice, at their expense.
    - (1) The review board consists of the following people who shall be disinterested parties:
      - (a) The Superintendent, or designee;
      - (b) The Assistant Superintendent, Teaching and Learning or designee; and
      - (c) The Leadership and Learning Assistant Superintendent for the school from which the request originates.
    - (2) A summary of the evidence and reason for the decision of the review board shall be given in writing to the concerned parties. This should be provided no more than ten (10) business days after the date of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and the reason(s) for the decision.
    - (3) The parents/guardians/eligible students may disagree with the review board's decision and have the right to issue a written statement to be placed in the student's record stating the reasons for disagreement. This statement will be

maintained as long as the record is maintained and will be disclosed when the school or District discloses the portion of the record to which the statement relates.

### **C. PROCEDURES FOR ACCESSING RECORDS:**

The following procedures will be used for granting access to student records and other confidential information pursuant to the Family Educational Rights and Privacy Act:

#### **1. Record of Access:**

A record of access shall be maintained for each educational record file:

- a. The record of access shall indicate who has accessed the education record and the purpose of their access as required by FERPA.
- b. This requirement does not apply to access by:
  - (1) Parents/guardians/eligible students;
  - (2) An authorized school official;
  - (3) A party with written consent from the parent/guardian/eligible student;
  - (4) A party seeking directory information as available pursuant to the annual FERPA Notification; or
  - (5) A party seeking or receiving records as directed by a federal grand jury or other law enforcement subpoena if the issuing court has ordered that the existence of the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

#### **2. Parent/Guardian/Student Access:**

In compliance with FERPA, parents/guardians/eligible students shall be given access to the records of the student including the permanent records, attendance register, discipline records and results of any individual testing which might have been given. A student who is emancipated, 18 years old or attending a post-secondary school will have access to his/her own records. Form JR-3 (Parent/Guardian Request for Education Records) may be used.

- a. Records may be inspected by parents or eligible students within a reasonable length of time after the request, but in no case later than forty-five (45) days after the request is made.
- b. An appointment should be made with the Principal or counselor to review records. If the records are at the Records Center, the appointment should be made with the Staff Assistant in Records Management.
- c. Requests for interpretation of psychological reports shall be made to the Psychological Services Department.
- d. The District will not provide a parent/guardian/eligible student a copy of standardized test questions or test protocols.

#### **3. Non-Custodial Parent Access:**

Parents who are not the physical or legal custodian of a minor student, or who do not have primary physical or legal custody, may have access to educational records and information if his/her parental rights are not terminated or his/her rights to access to educational records and information has not been restricted in some manner by legal authority. In these cases, school may contact the primary physical and legal custodian to inform the parent of the request. (see Administrative Rule JC[1]-R)

#### **4. Disclosure to Individuals/Agencies Other than Parents/Guardians/Eligible Students/Non-Custodial Parents:**

**NOTE:** A correctly executed written request and/or release or a lawfully issued and enforceable court order or subpoena is generally required before a transcript or information may be released to any agency or individual other than the parent/guardian/eligible student.

##### **a. Exceptions:**

Upon receipt of a correctly executed written request, copies of student records may be disclosed without the written consent of the parent/guardian/eligible student pursuant to the annual FERPA Notification.

### **D. NOTIFICATION REQUIREMENTS:**

#### **1. Student Directory Information:**

- a. Public Notice shall be given to inform parents/guardians/eligible students when student directory information is to be released.

b. **Family Information Guide:**

Parents/guardians/eligible students will be notified of their rights under FERPA annually by publication in the District's *Family Information Guide*. The *Guide* is provided to every student on the first day of school each year or when the student enrolls (Form JCDA-3 [Receipt of the *Family Information Guide*]).

**E. STUDENT DATA PRIVACY COMPLAINT PROCEDURES:**

The Student Data Privacy, Accessibility, and Transparency Act of Georgia is designed to ensure student data is kept private and secure from unauthorized access. Any parent/guardian/eligible student ("Complainant") may file a complaint if that individual believes and alleges that a possible violation of rights under the federal or state privacy and security laws has occurred.

**1. Complainant:**

- a. All complaints regarding an alleged violation of data privacy must be submitted by the Complainant on Form JR-9 (Student Data Privacy Complaint Form). The Form is available online or will be provided to Complainant upon request within three business days.
- b. Form JR-9 should be submitted to the Chief Accountability and Research Officer.

**2. District Response:**

- a. Upon receiving the completed complaint form, the Chief Accountability and Research Officer or designee should mark it with the date of receipt.
- b. A written response should be provided to the Complainant by the office of the Chief Accountability and Research Officer within ten (10) business days of receipt of complaint.

**3. The Superintendent:**

- a. Should the complaint not be resolved with the office of the Chief Accountability and Research Officer, the Complainant may file an appeal with the Superintendent within ten (10) days of receiving the written response.
  - (1) The appeal should include a copy of the original Student Data Privacy Complaint Form (Form JR-9) as well as the written response from the office of the Chief Accountability and Research Officer.
  - (2) The appeal should also include a written statement regarding the reason(s) for the additional appeal.
- b. A written response should be provided to the Complainant by the Superintendent or designee within twenty (20) business days of the receipt of the appeal.

**4. The Board of Education:**

- a. Should the complaint not be resolved with the Superintendent or designee, the Complainant may file an appeal for a final decision with the Board of Education within ten (10) business days of receiving the Superintendent's or designee's written response.
- b. The final appeal may be submitted to the Office of the Superintendent for the scheduling of board review.
  - (1) The final appeal should include:
    - (a) A copy of the original Student Data Privacy Complaint Form (Form JR-9);
    - (b) A copy of the written response from the office of the Chief Accountability and Research Officer;
    - (c) A copy of the written statement regarding the reason(s) for the appeal to the Superintendent;
    - (d) A copy of the Superintendent's or designee's written response; and
    - (e) A written statement regarding the reason(s) for the final appeal to the Board of Education.
- c. The Board of Education will render a final decision regarding the complaint and notify the complainant in writing within ten (10) business days of receiving the request for appeal.

## **II. TRANSFER/ARTICULATION OF ACTIVE STUDENT RECORDS**

### **A. PROCEDURES FOR TRANSFERRING INDIVIDUAL RECORDS:**

#### **1. In-District Transfer of Records:**

- a. Upon receiving a request (Form JBC-8 [Authorization to Release Records]) for an active student record from within the District, a school should send the record immediately.
- b. Under no conditions should the record be transferred by any student or his/her parent/guardian.
- c. Transfer within the District should be made through school mail.
- d. When transferring records within the system, sending schools should use Form JR-4 (Transfer of Active Student Record Within District) to maintain a record of where all records were transferred.

#### **2. Out-of-District Transfer of Records:**

- a. The active records of a student who withdraws to go to another school system should be kept in an inactive file in the school in accordance with the provisions of the District's Records Management Handbook.
- b. Upon receiving a request from another school system for a student's cumulative record, elementary, middle and high schools should make copies to send as transcripts.

### **B. ARTICULATION OF RECORDS BETWEEN LEVELS:**

The following procedures should be used in the preparation of elementary school records for transfer to middle school and middle school records for transfer to high school:

1. It is the responsibility of the local school administrator or designee (certified by Georgia Professional Standards Commission) to deliver to the appropriate school the active student records for students enrolled for the following school year.
2. Time of delivery of records needs to be mutually arranged by personnel at each school. It will be necessary for the local school administrators or professionally certified designees to:
  - a. Make an appointment to meet with a professionally certified person, the principal or designee, at each receiving school; and
  - b. Check each student's record to verify compliance and accuracy.
3. **Checklist for Cumulative Record:**  
Form JR-5 (Checklist for Cumulative Active Student Record, should be used to verify the contents of each cumulative record before the record is transferred. A completed Form JR-5 is to be placed as the first page inside each permanent record.
4. **Records Transfer:**  
Procedures for transferring rising sixth grade records:
  - a. It is the responsibility of the sending school to deliver the records to the receiving school.
  - b. Should the receiving school have records in the fall of a student who did not enroll, these records should be returned to the feeder school where they are kept in accordance with the provisions of the District's "Records Management Handbook.
  - c. **Preparation of Records for Transfer:**  
Records should be prepared for transfer in accordance with the provisions of the District's Records Management Handbook.

### **C. INACTIVE STUDENT RECORDS RETENTION PREPARATION:**

Procedures for preparing the records of withdrawals and graduates:

1. It is the responsibility of the school to properly prepare the records for retention
2. No items should be purged from the student record until the school received instruction from the Office of Records Management.
3. Should the receiving school have records in the fall of a student who did not enroll as pre-registered, these records should be returned to the feeder school where they are kept in accordance with the provisions of the District Records Management Handbook.

#### 4. Preparation for Records Retention:

The Office of Records Management will initiate the removal of student records as outlined in the Records Management Handbook, providing name lists, instructions and packaging information.

- a. School personnel should box inactive student records as instructed by the Office of Records Management.
  - (1) Inactive student records should contain only the specified documents as outlined in Form JR-7 (Checklist for Inactive Student Records).
- b. Should an individual record be improperly prepared by the school, the Office of Records Management may refuse to accept said record until it is properly prepared and ask that a staff member from the sending school correct the record or packaging.

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Reclassified an Administrative Rule: 9/1/04

Revised: 10/13/04; 6/14/06; 5/9/07; 6/11/08; 4/14/10; 11/9/11

Revised and re-coded: 1/7/13 (Previously coded as Administrative Rule JRA and Administrative Rule JRAA)

Revised: 7/1/13; 1/28/16; 3/8/17

#### Legal Reference

O.C.G.A. 50-18-0071	Right of access; timing; fees; denial of requests; impact of electronic records
O.C.G.A. 20-17-0002	Interstate Compact on Educational Opportunity for Military Children
O.C.G.A. 50-18-0073	Jurisdiction to enforce article; attorney's fees and litigation expenses; good faith reliance
O.C.G.A. 50-18-0074	Penalty for violations of Open Records Act; prosecution proceedings
O.C.G.A. 20-02-0150	Eligibility for enrollment
O.C.G.A. 20-02-0160	Determination of enrollment; determination of funding
O.C.G.A. 20-02-0670	Reqs. for transferring students beyond 6th grade
O.C.G.A. 20-02-0667	Parental and student review of education record; model policies
O.C.G.A. 20-02-0690	Requirements for private schools and home study programs
O.C.G.A. 20-02-0697	Cooperation of principals and teachers with attendance officers and visiting teachers
O.C.G.A. 20-02-0720	Inspection of student's records by parents
O.C.G.A. 24-09-0047	Disclosure of AIDS confidential information
O.C.G.A. 40-05-0022	Requirements for licensure; school attendance requirements
O.C.G.A. 49-05-0040	Child Abuse and Deprivation Records; definitions, confidentiality of records
O.C.G.A. 50-18-0072	When public disclosure is not required
O.C.G.A. 50-18-0099	Records management programs for local governments
Rule 160-1-3-.03	Infectious Diseases
Rule 160-4-7-.19	Services for Agency-Placed Students
Rule 160-5-1-.07	Student Data Collection
Rule 160-5-1-.14	Transfer of Student Records
34 CFR 300.624	Destruction of IDEA information.
20 USC 1412(a)(8)	Confidentiality of IDEA Records
34 CFR 300.618	Amendment of records at parent's request
20 USC 1232g	Family Educational Rights and Privacy Act of 1974 (FERPA)
20 USC 1232h	Protection of Pupil Rights Amendment (PPRA)