

STUDENT RECORDS—CHALLENGING CONTENT

*References: Education Code Sections 76222 and 76232;
Title 5 Section 54630*

Challenging Content

Any student may file a written request with the Dean of Student Services or designee to correct or remove information recorded in his or her student records, as defined in Policy 5040. Information that the student challenges may include: (1) inaccurate; (2) unsubstantiated personal conclusion or inference; (3) conclusion or inference outside of the staff person's area of competence; or (4) not based on the personal observation of the student by the staff person with the time and place of the observation noted.

Within 30 working days of receipt of the request, the Dean of Student Services or designee shall meet with the student and the employee who recorded the information in question, if the employee is presently employed by the District. The Dean of Student Services or designee shall then sustain or deny the allegations.

If the Dean of Student Services or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Dean of Student Services or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Vice President for Student Affairs in writing within 10 working days of the refusal.

If the Vice President of Student Affairs or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Vice President of Student Affairs or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Superintendent/President in writing within 10 working days of the refusal.

If the Superintendent/President or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Superintendent/President or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student may appeal to the Governing Board in writing within 10 working days of the refusal.

Within 30 days of receipt of an appeal, the Governing Board shall in closed session with the student and the employee who recorded the information in question to determine whether to sustain or deny the allegations. If the

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Governing Board sustains any or all of the allegations, it shall order the Superintendent/President or designee to immediately correct or remove and destroy the information. The decision of the Governing Board shall be in writing and shall be final.

If the final decision of the Governing Board is unfavorable to the student, the student shall have the right to submit a written statement of objection. The statement shall become part of the student's record until the information objected to is corrected or removed.

Disciplinary Records:

Whenever there is any information in the student disciplinary record concerning an action, the student shall be allowed to include a written statement or response concerning the disciplinary action. Appeals to any disciplinary action will follow the guidelines in the Standards of Student Conduct Procedure – 5500.

When there is any student disciplinary record information concerning any action in connection with any alleged sexual assault or physical abuse, threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

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 does 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 Dean of Student Services or 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.

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Please reference Policy and Procedure 5040 Student Records, Directory Information and Privacy.

Offices of Primary Responsibility: Office of Student Services