



Administrative Regulation 5005 STUDENT EDUCATIONAL RECORDS

Responsible Office: Department of Student Accounting; Department of Student Support Services

PURPOSE

This administrative regulation describes the process in which access to student educational records is granted in the Washoe County School District (District).

REGULATION

1. General

- a. Student educational records are considered confidential. The District shall maintain student educational records that contain information that is directly related to a student. Examples of educational records include, but are not necessarily limited to:
 - i. Student academic permanent record;
 - ii. achievement and scholastic aptitude test results;
 - iii. attendance and discipline files;
 - iv. class records books;
 - v. grade books;
 - vi. student health information;
 - vii. Student Support Services folder (if any).
- b. The parents of students or students themselves, if considered an adult under Nevada law, the Family Educational Right to Privacy Act (FERPA), and/or the Individuals with Disabilities in Education Act (IDEA) (both hereafter referred to as "Applicant"), have the right to review and inspect their educational records, unless the District is provided with evidence that there is a court order or other legally binding document that revokes those rights.

2. Request to Review and Inspect

- a. Parents/guardians or eligible students shall be allowed to inspect and review the education records of their children (or for eligible students, their own records) within a reasonable period of time, not to exceed 45 calendar days following the District's receipt of the request.

- i. If the request to inspect records is prior to an Individualized Education Program (IEP) meeting or prior to a meeting that may lead to qualification of a student for an Individualized Education Program and the requestor provides the District with at least ten (10) business days' notice prior to the IEP meeting (or meeting that may lead to qualification of a student for an IEP), the records must be provided prior to the Individualized Education Program meeting or the meeting which may lead to the student being qualified for an Individualized Education Program.
 - b. If an Applicant desires to review and inspect their educational records, he or she shall request in writing access to the records. The request shall be made to the appropriate department/school with the District as follows:
 - i. General Education Records shall be requested through the school the student attends.
 - ii. Transcript requests for graduates within the last five years or for students whose enrollment was within the last twelve months or are currently enrolled in the Washoe County School District shall be requested through the most recent school site attended.
 - iii. Transcript request for graduates greater than five years or for students whose enrollments was NOT within the last twelve months shall be requested through the department of Student Accounting.
 - iv. Special Education Records shall be requested through the Department of Student Support Services' Records Division.
 - c. Within five (5) business days of the receipt of a request for access to educational records, the Applicant shall be notified of the time, date and place at which such records will be made available to review. The right of access specified above shall include:
 - i. For Special Education Students Only: The right to be provided a list of the types of education records which are maintained by the District and which are directly related to students;
 - ii. Copies shall be provided to the applicant if the applicant is not reasonably able to view the records at the site (e.g. lives outside of the community). Such copies are subject to the fee schedule as detailed below.
 - iii. The right to inspect and review the contents of those records;
 - iv. The right to a response from the District to reasonable requests for explanations and interpretations of those records.

- d. If any material or documents in the education record of a student includes information on more than one student, access shall be limited only to that part of the material which relates to the Applicant or to the right to be informed of the specific information contained in the material if it is not severable.
- e. Email as Educational Records
- i. Only email that has been printed and placed in student's cumulative file is considered as educational records and will be the only emails produced when records are requested [see L.A. and M.A. vs. Tulore County, Office of Education, 109 LRP 60382].
- f. Certain significant documents shall be translated into an understandable and uniform format, and to the extent practicable, in a language that the parent/guardian can understand. For additional information about this process, see Administrative Regulation 1515, Meaningful Access.
- g. District staff must be present while records are being reviewed. This shall ensure records remain confidential and are not altered or damaged in any way.
3. Cost for Copies of a student's educational record:
- a. When copies of a student's educational record are requested and/or required*, the following are the costs of such records. The District shall notify the requestor of the time required to make such copies, unless time restraints exist under applicable law.
- i. *Required means for purposes such that a copy is legally required, to include but not necessarily limited to: a subpoena or court order; when inspection is impractical; or proof of enrollment such as for immigration, insurance or sports programs.

DOCUMENT	COST
Official Transcript	\$5.00 each
Education Verification	\$5.00 each
Unofficial Transcript	\$3.00 each
Immunization Records	\$2.00 each
Permanent Record (Student Records which include the Immunization Records, and	\$10.00 each

Elementary, Middle and High School Transcripts)	
All Other Educational Records	<p>For Parents/Guardians of Students:</p> <ul style="list-style-type: none"> • First 100 pages requested per school year – free • Each additional page after the first 100 pages per school year - \$0.10 per page <p>For Attorneys or outside agencies:</p> <ul style="list-style-type: none"> • Per request: \$10.00 for the first 100 pages and \$.10 a page thereafter.

- b. The parent/guardian of a student on an IEP or the eligible student shall receive a free copy of the annual IEP, as well as one free copy of any revisions to the IEP. That individual shall also receive one free copy of any evaluations that have been conducted on the student.

4. District Responsibilities

- a. No educational records of a student with an Individualized Education Program will be destroyed without parent notification. Some records may contain their destruction date at the time that an Individualized Education Program meeting occurs. This destruction date serves as notice to the parent.
- b. At least annually, the District shall notify the parents/guardians of students enrolled in the District or if considered an adult under Nevada Law, the Family Educational Right to Privacy Act (FERPA), and/or the Individuals with Disabilities in Education Act (IDEA) of the basic rights of access and privacy as well as all information required under the regulations adopted pursuant to the Family Educational Rights and Privacy Act of 1974 or any amendment thereto.

- c. Confidentiality
 - i. District faculty and staff involved in the observation, examination or evaluation of students, or in making related reports, shall not disclose to any person the name or address of a student with physical, mental, educational, or social disabilities, nor data resulting from such observation, examination or evaluation, except where such disclosure is duly authorized by school procedures or by a valid written request of the student's parents/guardian.
 - ii. Information in a student's educational file and folders, to include health records, shall be regarded as confidential.
- 5. Access by Other Educational Agencies or Institutions
 - d. In accordance with state and federal laws and regulations, the District may forward education records to other educational agencies or institutions that have requested the records and in which the student seeks or intends to enroll without prior consent of the parent/guardian/eligible student provided:
 - i. The School/District has made a reasonable attempt to notify the parent/guardian/eligible student at his/her last known address, OR
 - ii. The disclosure is initiated by the parent/guardian/eligible student, OR
 - iii. Notice is given by the School/District that the District forwards education records to other educational agencies or institutions that have requested the records and in which the student seeks or intends to enroll.

DEFINITIONS

1. Educational Records - those records, files, documents and other materials maintained by the Washoe County School District which contain information directly related to a student.
2. Applicant – parents of student or students themselves, if considered an adult under Nevada law, FERPA and/or IDEA.
3. Parent – natural parent, a legally adoptive parent, or a legal guardian.

DESIRED OUTCOMES

1. The District seeks to maintain the involvement of parents/guardians by ensuring an organized system of student educational recordkeeping.

IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS

1. This administrative regulation reflects the goals of the District's Strategic Plan and complies with the governing documents of the District, to include:
 - a. Board Policy 5036, Parents as Partners
 - b. Board Policy 7610, Public Information and Records Requests
 - c. Board Policy 7620, Document and Records Management
 - d. Administrative Regulation 1515, Meaningful Access
 - e. Administrative Regulation 5006, Challenge of a Student Educational Record
2. This administrative regulation aligns and complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include
 - a. Chapter 239, Public Records
 - b. Chapter 392, Pupils
3. This administrative regulation aligns and complies with federal laws and regulations, to include:
 - a. Family Educational Right to Privacy Act (FERPA)
 - b. Individuals with Disabilities Education ACT (IDEA)
 - c. Protection of Pupil Rights Amendment (PPRA)

REVIEW AND REPORTING

1. This administrative regulation shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the guiding policy as well as an audit of the accompanying governing documents.
2. Additional administrative regulations and/or other associated documents may be developed as necessary to implement and support this administrative regulation.

REVISION HISTORY

Date	Revision	Modification
4/22/2016	1.0	Adopted (replaces CSI Procedure PPAA-P110, Granting Access to Educational Records of Students)
8/1/2016	2.0	Revised to adjust the cost of record copies