



Administrative Regulation 5005 STUDENT EDUCATIONAL RECORDS

Responsible Office: Department of Student Accounting; Office of School Leadership-Special Education

PURPOSE

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

DEFINITIONS

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

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; and
 - vii. Special Education Records.
 - 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), access to inspect 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.
 - ii. In all cases, the parents/guardian and/or any person the parent/guardian has provided written permission to inspect will inspect records at the school site, looking at the student information system and/or the Individualized Education Program system with the principal or the principal's designee.
- b. If the Applicant desires copies of their educational records, they shall use the online electronic records request process by going to <https://washoeschoolsnv.scriborder.com/> or call (775) 861-4428. The following exceptions occur:
 - i. District sponsored charter schools maintain their own records. The charter school must be contacted for student records.
 - ii. Adult school records, excluding special education records, are maintained by Rise Academy for Adult Achievement (Rise).
 - 1) Rise must be contacted for Adult School Records. All student's records including Special Education Records can be viewed at Rise.
 - 2) If copies of Special Education records are needed, they can be obtained by using the online electronic records request process accessed through

<https://washoeschoolsnv.scriborder.com/> or by calling (775) 861-4428.

- c. Within 45 business days of the receipt of a request for access to educational records, the Applicant receive the records. 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. This list is maintained by the Office of School Leadership-Special Education;
 - 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 found at <https://washoeschoolsnv.scriborder.com/>. All current students receive four (4) free records per year.
 - 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. Video and/or Audio as Educational Record
 - i. The District allows for the inspection of video related to students. However, the District does not have systems to redact student information of students other than the Applicant's student. Therefore, the District does not provide copies of videos and/or audio. Videos and/or Audios may be viewed by contacting 861-4428 to schedule an appointment.
- f. Email as Educational Records
 - i. Only email that has been printed and placed in student's cumulative file is considered as educational record 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].
- g. 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.

- h. District employees 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 costs for the records can be found on <https://washoeschoolsnv.scriborder.com/> or by calling 861-4428. Each current student is afforded four (4) free records per year.
 - 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.
 - 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. All free copies referred to in this section are to be provided at the time of the annual IEP, the revision to the IEP, or the evaluation.
4. District Responsibilities
- a. Parent, guardians, and eligible students are notified of impending destruction of student records via publication of a newspaper advertisement. With this notification, parents, guardians, and eligible students are given ample time to request records. 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 employees 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
- a. 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.

LEGAL REQUIREMENTS AND 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 7610, Public Records Requests;
 - b. Board Policy 7620, Records Management; and
 - c. Administrative Regulation 1515, Meaningful Access, Document Translation/Language Interpretation;
2. This Administrative Regulation aligns and complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include

- a. Chapter 239, Public Records; and
 - 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); and
 - c. Protection of Pupil Rights Amendment (PPRA).

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
12/15/2021	3.0	Revised: To reflect current practices