

AP 5045 Student Records: Challenging Content and Access Log

Reference:

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

1.0 Challenging Content:

- 1.1 Any student may file a written request with the college Admissions and Records Office or the North Orange Continuing Education Dean of Instruction to correct or remove information recorded in his or her student records that the student alleges to be: 1) inaccurate; 2) an unsubstantiated personal conclusion or inference; 3) a conclusion or inference outside of the observer's area of competence; or 4) not based on the personal observation of a named person with the time and place of the observation noted.
- 1.2 Within 30 days of receipt of the request, the Dean of Admissions and Records, the North Orange Continuing Education Dean of Instruction, or designee shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the community college district. The Dean of Admissions and Records or designee shall then sustain or deny the allegations.
- 1.3 If the Dean of Admissions and Records, the North Orange Continuing Education Dean of Instruction, 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 Admissions and Records, the North Orange Continuing Education Dean of Instruction, or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the President or designee.
- 1.4 Within 30 days of receipt of an appeal, the President or designee shall review all documents related to the student's request and may meet with the student and employee who recorded the information in question. If the 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 President or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the governing board.
- 1.5 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, determine whether to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the Chancellor or his or her designee, to immediately correct or remove and destroy the information. The decision of the governing board shall be final.
- 1.6 If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his or her objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

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- 1.7 Whenever there is included in any student record information concerning any disciplinary action, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.
- 1.8 Whenever there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within 10 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.

2.0 Access Log:

- 2.1 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 need not include any of the following:
 - 2.1.1 Students seeking access to their own records.
 - 2.1.2 Parties to whom directory information is released.
 - 2.1.3 Parties to whom written consent has been executed by the student.
 - 2.1.4 Officials or employees having a legitimate educational interest.
- 2.2 The log or record shall be open to inspection only by the student and the Office of Admissions and Records, 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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November 5, 2008 Chancellor's Staff