
Administrative Procedure
Chapter 5 – Student Services

AP 5045 STUDENT RECORDS — CHALLENGING CONTENT AND ACCESS LOG

References:

Education Code Sections 76222 and 76232;
Title 5 Section 54630

Challenging Content

Any student may file a written request with the Director of Admissions and Records to correct or remove information recorded in his/her/their 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.

Within 30 days of receipt of the request, the Director of Admissions and Records shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the District. The Director of Admissions and Records shall then sustain or deny the allegations.

If the Director of Admissions and Records sustains any or all of the allegations, he/she/they shall order the correction or removal and destruction of the information. If the Director of Admissions and Records 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.

Within 30 days of receipt of an appeal, the Board of Trustees 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 Board of Trustees sustains any or all of the allegations, it shall order the Superintendent-President or his/her/their designee, to immediately correct or remove and destroy the information. The decision of the Board of Trustees shall be final.

If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his/her/their objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

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.

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 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 need 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 Director 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.

Rights of Students

- A. Any currently enrolled or former students have a right of access to all student records relating to them.
- B. **Waiver** - Students may be requested to waive their right to access to student records devoted solely to confidential recommendations for career placement or postsecondary admissions.
- C. **Challenge**
 1. Students may file a written request with the Dean of Admissions to remove information recorded in their student records which they allege 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. Any such challenges shall be conducted in accordance with Education Code Section 76232.

2. A student may not challenge grades assigned in courses of instruction via this section.

D. Record of Disciplinary Action

Whenever there is included in any student record information concerning any disciplinary action taken by District personnel in connection with the student, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.

Access to Student Records

- A. **Consent** - The District may permit access to student records to any person for whom the student has executed written consent specifying the records to be released and identifying the party to whom the records may be released. The recipient must be notified that the transmission of the information to others is prohibited.
- B. **Access** - Long Beach Community College District is not authorized to permit access to student records to any person without the written consent of the student or under judicial order except that access may be permitted to the following:
 1. Officials and employees of the District.
 2. Federal or State education officials or the county superintendent of education, or their respective designees, or the United States Office for Civil Rights to the extent mandated by law.
 3. Other State and local officials to the extent that information is specifically required to be reported pursuant to State law.
 4. Officials of other public or private schools.
 5. Appropriate persons in connection with an emergency.
 6. Agencies or organizations in connection with a student's applications for, or receipt of, financial aid with restrictions as per State law.
 7. Accrediting associations carrying out accrediting functions.
 8. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction.

- C. **Court Order** - Information concerning a student shall be furnished in compliance with a court order.
- D. **Subpoena** - The service of a subpoena upon a District employee for the purpose of producing a student record may be complied with by submitting a certified copy of all records requested. The student shall be given prior notice of this action.
- E. **Log** - A log or record shall be maintained indicating access to student's records.
- F. **Statistical Data** - Nothing shall preclude the District from providing, at its discretion, statistical data on students from which no individual student may be identified.

Also see BP/AP 5040 Student Records, Directory Information, and Privacy.

Approved: November 17, 2021

(This is a new procedure)