Frederick County Public Schools
Board of Education
STUDENT EDUCATION RECORDS
Policy 421

A. Policy Purpose

1. To establish policy governing access to and disclosure of student records.

2. To outline Board of Education (Board) expectations pertaining to the maintenance of student records and essential requirements.

B. Definitions

1. "Student Records" is defined to mean records, files, documents, and other materials which contain information directly related to a student and are maintained by the Board through its institutions of elementary and secondary education, or by a person acting for the Board. Student records do not include the personal notes or records made by instructional, supervisory, and administrative personnel, and educational personnel ancillary thereto, which remain in the sole possession of the maker and which are not accessible or revealed to any other individual.

C. Policy Statement

The Board recognizes its responsibility to maintain accurate student records, to protect the confidentiality and privacy of all records related to students, and to prohibit disclosure of all records related to students except where allowed by federal, state, and local laws and regulations.

D. Implementation

1. Student records maintained by the school system are to be kept confidential in accordance with federal, state, and local laws and regulations. Access to these records may be granted for the purpose of serving legitimate and recognized educational purposes as outlined in law and as defined by school system FCPS Regulation 400-20, *Student Records*.

2. Each School is required to maintain an official record of each student in accordance of the Maryland Student Records Systems Manual. Official student records can be modified as stipulated under Maryland law and/or in accordance with Maryland State Department of Education (MSDE) guidelines.

3. The Superintendent is directed to establish regulations to implement this policy.

E. Related Information

1. **Board Policy**
   a. Policy 442, *Student Data Privacy*

2. **Code of Maryland Regulations (COMAR)**
   a. COMAR 13A.08.02, *Student Records*

3. **External Resources**
   a. Maryland State Department of Education. (2020). *Maryland Student Records Systems Manual*

4. **FCPS Regulations**
   a. Regulation 300-06, *HIPAA – Health Information - Electronic*
   b. Regulation 400-20, *Student Records*
   c. Regulation 400-96, *Student Data Privacy*

5. **Federal Law**
   a. Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232(g), 34 CFR Part 99
   b. Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
   c. Individuals with Disabilities Education Act (IDEA), 20 USC § 1400, *et seq.*

6. **Maryland Statutes**
   a. Md. Code Ann., Gen. Prov. § 4-313

F. Policy History (Maintained by Legal Services)

Responsible Office	Department of System Accountability and School Administration; Office of Assessment, Data Reporting, and Strategic Improvement
Adoption Dates	10/11/06
Review Dates	
Revision Dates	6/27/18; 11/06/24