

P6-18-011 Conditions and Procedures for Amending Content of the Student's Education Record

1. The parent or eligible student who believes that information contained in the education record of the student is inaccurate or misleading or violates the privacy or other rights of the student, may request that the school which maintains the record amend it, regardless of when the information was entered in the record.

2. Upon the request of a parent/legal guardian, schools shall change a student's name and gender designation on official records upon submission and verification of a legal document such as a birth certificate, state- or federal-issued identifications, passport, or court order. Official records of former students may also be re-issued with the submission and verification of legal documents, as listed above, substantiating the amended name and gender.

32. The school may decide to amend the record in accordance with the request within a reasonable period of time--no more than 15 working days after the receipt of the request. The amendment shall be made in writing and inserted in the student's record.

43. The school may utilize informal attempts to reconcile differences, but the parent or eligible student may exercise the right to a hearing without benefit of the decision from any informal proceeding.

54. If the school decides to refuse to amend the record of the student in accordance with the request, it shall within 15 working days so inform the parent or eligible student of the refusal and advise of the right to a hearing.

65. The local school division shall provide an opportunity for a hearing to challenge data. School Board Counsel should be immediately advised of any requests for hearings.

76. If, as a result of the hearing, the school division decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the record of the student accordingly and so inform the parent or eligible student in writing.

87. If, as a result of the hearing, the local school division decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place in the record of the student a statement commenting upon the information in the education record and/or setting forth any reasons for disagreeing with the decision of the local school division.

98. Any such explanation placed in the education record of the student shall:

a. be maintained by the school as part of the education record of the student as long as the record or contested portion thereof is maintained, and

b. be disclosed by the school when the record of the student or the contested portion thereof is disclosed to any party.

109. The school may not destroy any education records if there is an outstanding request to inspect and review the records.

HCPS Ref.: Regulation [6-18-011](#), "Procedures for Holding Hearings to Consider Amending Content of the Student's Education Record"

Legal Refs.: USC, Section 99.10(e)

Code of Virginia, 1950, as amended, § 22.1-23.3.