

Descriptor Term:  
STUDENT DISCIPLINE RECORDS

Descriptor Code:  
4.3605

Legal References: 20 U.S.C. 1232g(h); G.S. 115C-47, -276(r), -391, -402

Cross References: 4.8000 Student Records

A. RETENTION OF RECORDS

The principal shall retain in the student's file, either in paper or electronic form, all records related to violations of board policies, school standards or school rules.

As required by law, the superintendent will maintain the following data on each student suspended for more than ten (10) days or expelled: race, gender, age, the duration of the suspension, whether an alternative education was considered or provided and whether the student had multiple suspensions.

As secretary to the board, the superintendent also shall maintain records from the board's consideration of 365 days suspensions and expulsions, including information required by G.S. 115C-391(d), and any re-considerations of expulsions.

B. DISCLOSURE OF RECORDS

Confidential student records concerning conduct that posed a significant safety risk to the student or others in the school community may be disclosed to teachers and school officials, including teachers and officials in other schools, who have legitimate educational interests in the behavior of the student.

C. REMOVAL OF RECORDS

1. End of the Year Removal

At the end of the school year and after giving notice to parents, discipline records may be removed except the following types of discipline records may not be removed from student records, electronic files and databases at the end of the school year:

- a. notice of any suspension for a period of more than ten (10) days and the record of the conduct for which the student was suspended;
- b. notice of any expulsion under G.S. 115C-391 and the record of the conduct for which the student was expelled; and
- c. any records (including in-school suspension or short-term suspensions) that need to be maintained in order to be able to serve the student appropriately or to protect the safety of others.

2. Expunging Records

The superintendent or designee shall expunge any records regarding suspensions for a

period of more than ten (10) days or expulsion if the following criteria are met:

- a. A request that the record be expunged is made to the superintendent or designee by the student's parent or guardian, or the student if the student is at least 16 years old or is emancipated;
- b. The student either graduates from high school or is not suspended or expelled again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension; and
- c. The superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the child or to maintain safe and orderly schools.

In addition, the superintendent may expunge from a student's official record any notice of suspension or expulsion provided that criteria b. and c, above are met.

This section is not intended to limit parents' right to request removal of information from a student's record under board policy 4.8000 Student Records.