

A. RETENTION OF RECORDS AND REPORT OF DATA

The principal shall retain in each student's file, either in paper or electronic form, all records related to violations of Transylvania County Board of Education (the "board") policies, the Code of Student Conduct, school standards, or school rules.

As required by law, the superintendent shall maintain the following data on each student who was suspended for more than 10 days, reassigned for disciplinary reasons, expelled, or to whom corporal punishment was administered: race, gender, age, grade level, ethnicity, disability status, type of incident or offense, duration of the suspension, whether alternative education services were provided, and whether the student had multiple suspensions in that academic year.

As secretary to the board, the superintendent also shall maintain records from the board's considerations of 365-day suspensions and expulsions and any readmission reconsiderations of 365-day suspensions and expulsions.

The superintendent shall ensure that data on disciplinary incidents is reported using the state student information system application in accordance with State Board of Education policies and procedures.

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 school officials in other schools, who have legitimate educational interests in the behavior of the student.

C. REMOVAL OF RECORDS**1. End of Year Removal**

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 10 days and the record of the conduct for which the student was suspended;
- b. notice of any expulsion under G.S. 115C-390.11 and the record of the conduct for which the student was expelled; and
- c. any records (including of in-school suspensions 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 record of suspension for a period of more than 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 by 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 any notice of suspension or expulsion from a student's official record 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 policy 4700, Student Records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g(h), 34 C.F.R. 99.31, 99.36; G.S. 115C-47, -276(r), -390.4, -390.7, -390.8, -390.10, -390.11, -390.12, -402

Cross References: Theft, Trespass, and Damage to Property (policy 4330), Assaults, ~~and~~ Threats, ~~and Harassment~~ (policy 4331), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)

Other Resources: *North Carolina Discipline Data Reporting Procedures*, N.C. Department of Public Instruction Safe and Healthy Schools Support Division, available at <https://www.dpi.nc.gov/data-reports/discipline-alp-and-dropout-data>

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