

28.57

NOTE: Authority cited: Sections 66700, 70901 and 70901.1, Education Code. Reference: Section 70901.1, Education Code; and 15 USC Sections 7001, et seq.

**HISTORY**

1. New subchapter 4.5 (section 54300) and section filed 5-13-99; operative 6-14-99 (Register 99, No. 20).
2. Amendment of section heading, section and NOTE filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**Subchapter 5. Commercial Solicitation on Campus**

**§ 54400. Student Credit Card Solicitations.**

By December 31, 2003, the governing board of each community college district shall adopt policies regulating the solicitation practices used on campuses by credit card companies marketing "student credit cards" as defined in Civil Code section 1747.02(m).

NOTE: Authority cited: Section 99030, Education Code. Reference: Section 99030, Education Code; and Section 1747.02(m), Civil Code.

**HISTORY**

1. Amendment of subchapter heading and new subchapter 5 (section 54400) and section filed 2-14-2003; operative 3-16-2003. Submitted to OAL for printing only pursuant to Education Code section 70901(b) (Register 2003, No. 15). For prior history, see Register 82, No. 31.

**Subchapter 6. Student Records**

**§ 54600. Purpose.**

(a) This subchapter is adopted pursuant to and for implementation of chapter 1.5 (commencing with section 76200), part 47 of division 7 of the Education Code regarding student records. The provisions of this subchapter should be read and interpreted in conjunction with the provisions of chapter 1.5.

(b) Any conflicts between the provisions of this subchapter and federal law shall be interpreted to ensure the continuance of federal education funds to community college districts. Where federal law permits the disclosure of information concerning students, each community college district may determine whether to provide for such disclosure in that district.

NOTE: Authority cited: Sections 76220, 76225 and 76246, Education Code. Reference: Chapter 1.5 (commencing with Section 76200), Part 47, Division 7, Education Code; 20 USC Section 1232(g); and 34 CFR Part 99.

**HISTORY**

1. New Chapter 6 Articles 1-7, (Sections 54600-54662, not consecutive) filed 3-5-76; effective thirtieth day thereafter (Register 76, No. 10).
2. Amendment of section and NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
3. Repealer of article heading and amendment filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
4. Amendment of section and NOTE filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54602. Construction.**

**HISTORY**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
3. Repealer filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54604. Policy.**

Community college districts may establish and maintain only such information on students relevant to admission, registration, academic history, career, student benefits or services, extracurricular activities, counseling and guidance, discipline or matters relating to student conduct, and shall establish and maintain such information required by law.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Section 76210, Education Code; 20 USC Section 1232(g); and 34 CFR Part 99.

**HISTORY**

1. New NOTE filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

2. Amendment of section and NOTE filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54606. Definitions.**

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Section 76210, Education Code; 20 USC 1232(g); and 45 CFR 99.3.

**HISTORY**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment of subsection (c) filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
3. New subsection (c)(7) filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).
4. Amendment filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
5. Repealer filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54608. Retention and Destruction of Student Records.**

The retention and destruction of student records, where not otherwise specifically provided for in this subchapter, shall be in accordance with subchapter 2.5 (commencing with section 59020) of chapter 10.

NOTE: Authority cited: Sections 70901, 76220 and 76246, Education Code. Reference: Section 72603, Education Code; 20 USC Section 1232(g); and 45 CFR Section 99.3.

**HISTORY**

1. New section filed 10-8-76; effective thirtieth day thereafter (Register 76, No. 41).
2. Amendment of section and NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
3. Amendment of NOTE filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
4. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 9).
5. Amendment of section and NOTE filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54610. Student Access.**

Community college districts shall provide access to student records pursuant to Education Code sections 76210(c) and 76230, provided that if any material or document in the student record includes information on more than one student, the rights provided in section 76230 shall only extend to such information as pertains to the student. Each student shall be permitted to select the means of access to his or her own student records.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Sections 76230, Education Code; 20 USC Section 1232(g); and 34 CFR Part 99.

**HISTORY**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Repealer of Article 2 heading and Section 54610 and new section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
3. Amendment of section and NOTE filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54612. Waiver.**

A student may waive his or her right of access to student records concerning recommendations as provided in Education Code section 76231. Such waivers shall be in writing and signed by the student.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Section 76231, Education Code; 20 USC Section 1232(g); and 45 CFR Section 99.12.

**HISTORY**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).
3. Repealer and new section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
4. Amendment of section and NOTE filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54614. Confidential Maintenance of Records.**

**HISTORY**

1. Repealer of Article 3 heading and Section 54614 filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54616. Consent.**

A community college district may, when the student has provided consent, permit access to the student's records pursuant to Education Code section 76242. Such consent must be signed and dated by the student.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Sections 76230 and 76242, Education Code; 20 USC Section 1232(g); and 45 CFR Sections 99.30–99.40.

**HISTORY**

1. Amendment filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
2. Repealer and new section filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).
3. Change without regulatory effect amending section and NOTE filed 3–15–2006 pursuant to section 100, title 1, California Code of Regulations. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54618. Mandatory Access.****HISTORY**

1. Repealer filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).

**§ 54620. Court Orders.****HISTORY**

1. Amendment filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
2. Repealer filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54622. Access.****HISTORY**

1. Repealer and new section filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 8–4–78; effective thirtieth day thereafter (Register 78, No. 31).
3. Repealer filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54624. Access to Statistical Data.****HISTORY**

1. Repealer filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54626. Directory Information.**

(a) Community college districts shall adopt a policy identifying any of the categories of directory information which may be released under Education Code section 76210 or allowed under federal law at 34 C.F.R. section 99.3.

(b) Directory information, as established by the local governing board, may be released provided that public notice is given at least annually in accordance with Education Code section 76240. Such notice shall also specify the period of time within which the student must inform the district in writing that such personally identifiable information is not to be designated as directory information with respect to that student.

(c) Any district may, in its discretion, limit or deny the release of specific categories of directory information based upon a determination of the best interests of students.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Sections 76240 and 76242, Education Code; 20 USC Section 1232(g); and 45 CFR Part 99.

**HISTORY**

1. Amendment filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment of subsection (d) filed 11–4–77; effective thirtieth day thereafter (Register 77, No. 45).
3. Amendment of subsections (b) and (d) filed 8–4–78; effective thirtieth day thereafter (Register 78, No. 31).
4. Amendment filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).
5. Amendment of section and NOTE filed 3–15–2006; operative 4–14–2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54628. Record of Access.****HISTORY**

1. Repealer and new section filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).

2. Amendment of subsection (d) filed 8–4–78; effective thirtieth day thereafter (Register 78, No. 31).

3. Repealer filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54630. Challenging Content of Records.**

Any student may challenge the content of his or her student records pursuant to Education Code section 76232. The decision of the chief administrative officer and governing board must be in writing.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Section 76232, Education Code; 20 USC Section 1232(g); and 45 CFR Sections 99.20–99.22.

**HISTORY**

1. Amendment filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 11–4–77; effective thirtieth day thereafter (Register 77, No. 45).
3. Amendment of subsections (a) and (b) filed 8–4–78; effective thirtieth day thereafter (Register 78, No. 31).
4. Repealer of Article 4 heading and Section 54630 and new section filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).
5. Amendment of section and NOTE filed 3–15–2006; operative 4–14–2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

**§ 54632. Disciplinary Action.****HISTORY**

1. Repealer filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54640. Transfer of Records.****HISTORY**

1. Amendment filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
  2. Amendment filed 11–4–77; effective thirtieth day thereafter (Register 77, No. 45).
- Repealer of Article 5 heading and Section 54640; filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54642. Procedure for Transfer.****HISTORY**

1. Repealer filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).

**§ 54650. Annual Notice.****HISTORY**

1. Amendment filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 11–4–77; effective thirtieth day thereafter (Register 77, No. 45).
3. Amendment of subsection (a) filed 8–4–78; effective thirtieth day thereafter (Register 78, No. 31).
4. Repealer of Article 6 heading and Section 54650 filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54660. Fees.****HISTORY**

1. Amendment filed 3–15–77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 8–4–78; effective thirtieth day thereafter (Register 78, No. 31).
3. Repealer of Article 7 heading and Section 54660 filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**§ 54662. District Regulations.****HISTORY**

1. Amendment filed 11–4–77; effective thirtieth day thereafter (Register 77, No. 45).
2. Repealer filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).

**Subchapter 7. Health Services****§ 54700. Separate Funds and Accounting Procedures.**

All student fees collected for the student health services program shall be deposited in a special fund established for that purpose by the district. All monies in this fund shall be expended only for the purposes for which they were collected.