

HB1317/ SB443

Transfer and Management of Scholastic Records; Disclosure of Information in Court Notices; Transfer of Disciplinary Records



Bill Patron: Delegate Joshua G. Cole/Senator Tara A. Durant

■ WHAT THE BILL DOES:

Adds requirements for student records transmittal when a student transfers from one Virginia school division to another division. When a student has left the school division and a superintendent has received a notification from the clerk of the court per [§ 16.1-305.1](#) regarding that student, the notification must be forwarded to the superintendent of the school division where the student has enrolled or intends to enroll when the enrolling division requests records for the student. While the notification from the clerk is not a part of the student's scholastic record, it must be sent to the receiving school division.

The bill also requires a copy of the complete student disciplinary records, including correspondence with parents and alternative placement information, of any student transferring from one school division to another to be transferred to the school division to which such student is enrolled or intends to enroll upon request from such school division.

■ HOW DOES THIS IMPACT SCHOOL DIVISIONS?

In addition to scholastic records, school divisions must include the following in student record transfer requests from a school division where a student has enrolled or intends to enroll:

- Any notification from the clerk of the court per [§ 16.1-305.1](#) received by the superintendent of the school division in which the student was enrolled.
- The complete student disciplinary records, including copies of any relevant correspondence sent to the pupil or such pupil's parent and copies of any correspondence and documentation relating to such pupil's placement in an alternative education program.
- Permission of the parent, guardian, or other person having control or charge of the student shall not be required for transfer of such scholastic and disciplinary records to another school or school division within or outside the Commonwealth.

■ WHAT RESOURCES ARE AVAILABLE?

- The [Guidelines for the Management of the Student's Scholastic Record in the Public Schools in Virginia](#) will assist school divisions in managing scholastic records, to include required information and parent and student rights.
- The *Code of Virginia* [§ 22.1-289.B](#) will assist divisions with managing scholastic records, as it contains information pertaining to the transfer and management of public-school scholastic and disciplinary records.
- The *Code of Virginia* [§ 16.1-305.1](#) clarifies responsibilities pertaining to the disclosure of disposition in certain delinquency cases.

WHAT ADDITIONAL ITEMS WILL BE RELEASED?

None.

SCHOOL DIVISION NEXT STEPS:

1. When a school division requests records for a student who has enrolled or intends to enroll in that division, the superintendent of the division receiving the request must provide:
 - a. A copy of the scholastic record
 - b. A copy of the complete student disciplinary record including:
 - relevant correspondence sent to the pupil or such pupil's parent;
 - copies of any relevant documentation relating to the transferring student's placement in an alternative education program pursuant to [§ 22.1-209.1:2](#) or [§ 22.1-277.2:1](#); and
 - any notification received from the clerk of the court per [§ 16.1-305.1](#) regarding the disposition of a delinquency case where a juvenile is charged with a crime listed in subsection G of [§ 16.1-260](#) in which a juvenile is adjudicated delinquent, convicted, found not guilty, or the charges are reduced, must be forwarded to the division where the student enrolls or intends to enroll.

WHO IS THE VDOE CONTACT:

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