

CHAPTER 5.00 – STUDENTS

5.19 - Educational Records of Pupils and Adult Students

POLICY:

Student educational records are maintained to facilitate the instruction, guidance, and educational progress of pupils and adult students. The rights of pupils and their parents or guardians shall be protected with respect to records and reports as created, maintained, and used by the School Board of Levy County. An annual written notice shall be provided to inform parents, guardians and adult students of their rights as defined in 1002.22, F.S.

(1) The Cumulative Student Record

(a) A student's cumulative record shall contain information in the following classifications:

1. Category A

Permanent information kept current on the Florida Permanent Record Card (6A-1.0955(3))

- a. Full legal name and any known changes
- b. Birth date, place of birth, race, ethnicity and sex
- c. Last known address
- d. Name(s) of student's parent(s) or guardian
- e. Name and location of last school attended
- f. Attendance data to include date enrolled and date withdrawn
- g. Academic record
- h. Date of graduation or program completion
- i. Records of requests for access to and disclosure of personally identifiable information from the education records of the student as required by FERPA.

2. Category B

Temporary information, subject to periodic review and elimination (6A-1.0955(4)).

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- a. Health information
- b. Family background data
- c. Standardized test scores
- d. Educational and career plans
- e. Student services reports, including all exceptional student information required by Florida Statutes
- f. Honors and activities
- g. Work experience reports
- h. Correspondence from community agencies or private professionals
- i. Drivers education certificate
- j. List of schools attended
- k. Written agreements of corrections, deletions or expunctions as a result of meetings or hearings to amend educational records.
- l. Records designated for retention by the Florida Department of state in General Records Schedule GS7 for *Public Schools Pre-K–12, Adult and Vocational/Technical*.

(b) Change of Record

A pupil's record may not be changed or altered in any manner except by authorization or direction of the principal to correct any error or other valid cause. Any change on the record shall be signed by the person making the change.

(c) Security of Records

The principal shall develop a procedure to insure the security and accountability of student records. (6A-1.0955(8)(a)) Under no condition shall the records be removed from the school building except by order of the court or upon direction of the Board.

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The School Board office shall maintain a listing of the types and locations of education records and the coordinators and/or principals will be responsible for these records.

(d) Availability of Records

A student's record shall be available for inspection or review as follows:

1. Upon request, the principal shall make the record available for inspection by the Superintendent.
2. The record shall be available to members of the professional staff of the school who have a valid and legal interest in the student.
3. The principal shall designate the appropriate personnel to share relevant health information to those that have a valid and legal interest in the student.
4. The permanent cumulative record shall be available to the parent or guardian in the presence of the principal or his/her designated representative.
5. A court of competent jurisdiction may inspect the record or issue a court subpoena relative to a record.

(e) Biometric Information

The District shall not collect or retain information including biometric information restricted by 1002.22, F.S.

(f) Voluntary Prekindergarten

The individual records of children enrolled in the Voluntary Prekindergarten Education Program shall be maintained as confidential records exempt from the public records law as required by Florida Statutes.

(g) Interagency Agreements

A school may release a student's education records to partners to an interagency agreement among the Department of Juvenile Justice, the school, law enforcement authorities and other signatory agencies as allowed by law.

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- (2) Annual Notice of Parents' Rights Regarding Student Records (1002.22, (3) F.S.)
 - (a) An annual written notice shall be sent to inform parents or guardians of pupils and adult students of their rights concerning student records. An alternate method of notice shall be used to inform those persons who cannot comprehend a written notice in English.
 - (b) The notice shall include, but is not limited to, the following:
 - 1. Right of Access
 - 2. Right of Waiver of Access
 - 3. Right to Challenge and Hearing
 - 4. Right of Privacy
 - (c) This notice will also inform parents that they may review Levy County School Board policies regarding educational records at the School Board Office in Bronson or on the SBLC website.
- (3) Disclosure of Personally Identifiable Information (1002.22 (3) (d) F.S.)
 - (a) Personally identifiable information may be periodically disclosed to school officials, other school systems, accrediting organizations, and governmental agencies, including military recruiters, as set forth in applicable statutes, appropriate parties in connection with an emergency, health and safety emergencies, student financial aid, organizations conducting studies, the Auditor General, and as evidence in hearings conducted by the Board.
 - (b) If a parent chooses not to have any of the aforementioned information disclosed, they may opt out by notifying the principal or designee in writing indicating their desired intent. Within thirty (30) days of distribution of the Code of Student Conduct.
 - (c) Except as noted in this rule or as permitted by statutes, release of personally identifiable information shall be made only upon written consent of the parent or guardian or adult student, or through a legally binding instrument or court order.
 - (d) Written consent, when required, shall have the dated signature of the parent or guardian or adult student, and shall include specifications of the records disclosed, purpose of the disclosure, and the party or agency to whom the record is transferred.

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- (4) The District shall not collect or retain information including biometric information restricted by 1002.222, F.S.
- (5) Provisions for Challenging Content of Records (6A-1.0955(6)(k))

If an adult student, parent, or guardian challenges the content of records as misleading, inaccurate, or a violation of their privacy, the following procedures shall be employed:

- (a) An informal meeting between parent and school will be called at which any of the following may be done:
 - 1. Make corrections
 - 2. Make deletions
 - 3. Exchange material
 - 4. Add a statement of explanation or rebuttal to a file

Such agreements shall be in writing and signed by both parties. The principal will take the necessary action to implement the agreement.

- (b) A hearing may be requested by either party when agreement cannot be reached informally. Upon request of the parent, guardian, pupil, or student, the hearing shall be exempt from the requirements of 286.011, F.S. The hearing shall be conducted within a reasonable time and as follows:
 - 1. The hearing shall be conducted and the decision rendered by an official of the educational institution or other party who does not have a direct interest in its outcome.
 - 2. The parent, guardian, pupil, or student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised under this paragraph.
 - 3. The decision shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.
 - 4. The appropriate school officials shall take the necessary actions to implement the decision.

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(6) Transfer of Records

Student records shall be transferred as hereinafter prescribed: (6A-1.0955(7))

(a) Public Schools Within the District

Upon notification by the principal of the receiving school that a pupil has enrolled there, the cumulative permanent record shall be forwarded immediately to the receiving school. A copy of the student's academic record shall be retained in the files of the original school.

(b) Private Schools and Public Schools Outside the School District

The insert or a transcript of the cumulative record shall be sent upon the notification by the principal that the pupil has enrolled in his/her school. The sending school shall retain the cumulative folder. Any transcript of a pupil's record shall include:

1. Personal data
2. Academic record (grades)
3. Attendance and health record
4. Standardized test results
5. Psychological test results

(c) Permissive Transfer Requests

With the permission of the parent, guardian, or a student enrolled in senior high school, a transcript may be sent to individuals and agencies.

(d) The principal shall establish a procedure for sending transcripts of records.

(7) Other Transfer Situations

- (a) When a school is closed or phased out, the inactive records shall be immediately transferred to the school center which replaced the former school, as related to grades and the area served, or as otherwise directed by the Superintendent.

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- (b) Current records shall be transferred at the close of the school year for students who will attend a different school the following year due to geographic boundary changes, promotion from an elementary to a middle school, or from a middle to a high school. Such records shall be transferred without request following the close of the school term.
- (8) There shall be only one cumulative permanent record for each child. This record shall be kept current from year to year and shall follow the pupil throughout his/her career in the public schools of the district. Under no conditions shall a grade or grades be withheld from the permanent records.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 119.07(1), 119.071, 1001.43, 1001.52, 1002.22, 1002.221, 1002.222, 1002.72, 1003.25, 1008.386
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