

PUBLIC NOTICE – August 2011

**Student Records
(Automated and Non-Automated)
Maintained by the District School Board of Pasco County**

This document was prepared by the Student Services Department in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA) Final Rule, July 2000

What is the Family Educational Rights and Privacy Act?

In August of 1974, President Ford signed into law a series of legislative amendments known as the Education Amendments. Among them was an amendment sponsored by Senator James Buckley entitled Family Educational Rights and Privacy Act of 1974 (FERPA). Since enacting FERPA, Congress has strengthened privacy safeguards of education records through this law, refining and clarifying family rights and agency responsibilities to protect those rights.

FERPA gives parents the right to review and confirm the accuracy of education records. These rights transfer to the student when the student turns eighteen years old or attends a post-secondary institution. At this time, the student is designated as an “eligible student” and holds the same rights as his or her parents held with respect to education records. This and other United States “privacy” laws ensure that information about citizens collected by schools and government agencies can be released only for specific and legally defined purposes.

The primary rights of parents and eligible students under FERPA include the right to:

- Inspect, and review education records.
- Seek and amend education records.
- Have some control over the disclosure of information from education records.

What is an education record? What type of information is maintained in the record?

A permanent cumulative education record and an automated record are maintained for each student from entrance into school through the twelfth grade or its equivalent. The school that initially enrolls a student is responsible for establishing the records. Each school principal has the legal responsibility for maintaining education records. Educational records (automated and non-automated) are those records, documents, and other materials, which contain information, directly related to the student and are maintained by an educational institution or agency. Information contained in the record is classified as follows:

Category A is defined as permanent information of clear educational importance that is retained *indefinitely. Category A information includes:

• student’s full legal name • date of birth • place of birth • race • gender • address • parent/guardian name • name, location, and dates of schools attended • days present/absent • date of enrollment and withdrawal • courses taken and achievement record (grades, credits, GPA, or certification of program completion) • graduation date and requirements • state/district test results (if required for graduation) • written records of access • home language survey • health immunization certification forms.

Category B is defined as temporary information of clear educational importance that will be periodically corrected and/or eliminated as prescribed by law. Category B information includes, but is not limited to:

• health and immunization information • family background data • test scores • honors/activities • educational and career plans • discipline records • driver education certificates • correspondence from external agencies • divorce and/or custody documents/court orders • written agreements of records deletions or expunctions, records of major discipline or expulsion actions • student LEP plans.

Upon request, the parent or eligible student shall have the right to:

- be provided with a list of all records directly related to the student.
- be shown any report on the student.
- receive interpretation of the record.
- be provided with copies of the record (not to exceed actual duplicating costs).

Requests to review student records should be made directly to the school principal or principal’s designee. The school must comply within a reasonable time frame (not in excess of 30 days). In addition to rights of access, the parent or eligible student has the right to challenge the content and request correction/deletion of records if he/she thinks they are misleading or inaccurate. These requests should be made to the school principal and may be further appealed to the Superintendent (or designee).

Who else has the right to access student records?

An educational agency/institution may disclose personally identifiable information from a student’s education record without prior written consent of the parent or eligible student if the disclosure is:

- a) “directory information,” which is information contained in the student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes: student’s name, address,

telephone number (if listed), date and place of birth, dates of attendance at an educational institution, name of most recent, previous educational institution attended, major field of study, grade level, diploma, degrees, awards and honors received, participation in officially recognized activities and sports, weight and height of members of athletic teams, and photograph(s). Parents who object to the release of directory information on their child(ren) must notify the school principal, in writing, within fifteen days of receiving this notification. This should be done on an annual basis.

- b) to “school officials”, including teachers, who have a legitimate educational interest as determined by school board policy.
- c) to officials of other schools or post-secondary institutions in which the student seeks to or has enrolled.
- d) to authorized representatives of the Comptroller General of United States, The United States Secretary of Education, Assistant Secretary for Education, and state educational authorities, in order to comply with state or federal program requirements.
- e) in connection with a student’s application for financial aid.
- f) to organizations conducting educational studies for the purpose of developing or validating tests, student aid, or improving instruction.
- g) to accrediting organizations.
- h) in connection with health and safety emergencies.
- i) to a court of jurisdiction in compliance with a court or attorney of record order pursuant to a lawfully served subpoena, upon the condition that the school makes a reasonable attempt to notify the parent or eligible student.
- j) for use as evidence in student expulsion hearings conducted by a school district.
- k) to the Auditor General in connection with official functions.
- l) to the credit bureaus in connection with an agreement for financial aid which the student has executed.
- m) to parties of an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities for the purpose of implementing the Juvenile Justice Act.
- n) to parents of a dependent student as defined by the Internal Revenue Services Code of 1986.
- o) if a school district initiates legal action against a parent, or if the parent initiates legal action against a school district.
- p) to School Readiness Coalitions and the Florida Partnership for School Readiness in connection with assigned duties.

Copies of education records are released only on the condition that the information will not be subsequently transferred to another party without obtaining the proper consent of the parent or eligible student.

Exceptional Education Students:

The Pasco County School District identifies exceptional educational students and maintains information about those students screened and staffed for special educational services/programs.

The term “exceptional student” includes students identified for special education programs/services within the following classifications: Intellectual Disabilities, Speech and Language Impaired, Visually Impaired, Deaf/Hard of Hearing, Specific Learning Disabilities, Gifted, Emotional Behavioral Disabilities, Developmentally Delayed, Established Conditions, Hospital Homebound, Autism Spectrum Disorder, Language Learning Disabled, Other Health Impaired, Traumatic Brain Injury, and Orthopedically Impaired.

Educational records and reports maintained may include information on the student’s psychological, social, physical, academic / intellectual, communication / language abilities, aptitudes and behaviors.

This information is used to assist school staff in the development of appropriate educational plans and instructional strategies for students receiving special education services. It is also utilized for required state and federal reports/audits. Exceptional student education records (Category B information) will be destroyed five (5) years after the date of actual or intended graduation (or its equivalent in time). Parents may contact the school and receive a copy of these records prior to their disposal date. These records may be useful or needed to access adult agency services.

Where can copies of school board policy on student records be obtained?

Parents and eligible students may obtain copies of the District School Board of Pasco County records policy at any public school location or from the Student Services Department at the District Office in Land O’Lakes, Florida. Parents and eligible students who need assistance or who wish to file a complaint under FERPA should do so by mailing pertinent information concerning any allegations to the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920