

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.

- and standardized testing such as FCAT. Student Social Security numbers are included in all Florida Department of Education required reporting.
- For adult students and approved GED Exit Option students taking the GED exam for graduation purposes, social security numbers are used by the Florida Department of Education as a standardized identification number to track students.
 - Pasco Education Foundation, Inc. collects student social security numbers when savings bonds are purchased on behalf of that student.
 - Student Social Security Numbers are also used to report to the State Department of Licenses that students have passed the written test and completed the Drinking and Driving course requirement for their Restricted Driver's License.

The Social Security numbers of all current and former employees are confidential and exempt from s.119.07(1) and s. 24(a), Art. I of the State Constitution.

STUDENT SURVEYS AND PRIVACY: PARENT NOTIFICATION THE PROTECTION OF PUPIL RIGHTS AMENDMENT(PPRA)

The Protection of Pupil Rights Amendment (PPRA) is a federal law that affords rights to parents of minor students in relation to surveys that ask questions of a personal nature.

These include the right to:

1. consent before students are required to submit to a survey that concerns one or more of the "protected areas" if the survey is funded by a program of the US DOE.
2. receive notice and an opportunity to opt a student out of survey participation.
3. inspect, upon request, and before administration will use, the protected information student surveys and related material.

These rights transfer from the parent to a student who is 18 years of age or in an emancipated minor under Florida State.



**Student Services Department District
School Board of Pasco County
7227 Land O'Lakes, FL 34638
(813) 794-2361**

Those circumstances include:

- reporting abuse
- investigations related to missing children
- internal investigations and audits or by government agencies
- public health purposes, including vital statistics, disease reporting, public health surveillance, investigations, interventions and regulation of health professionals
- district medical examiner investigations
- research approved by the Department of Health or school board
- court orders, warrants, or subpoenas
- law enforcement purposes.

Parents or eligible students have the right to:

- request or restrict the use and disclosure of health information
- be assured that information will be kept confidential
- inspect and receive a copy of the protected health information
- correct health information.

Disclosure of information to school staff is made with the parents or eligible student's permission for the purpose of providing maximum safety and will be discussed with the parents or eligible students prior to any disclosure of health information whenever possible.

NOTICE OF SOCIAL SECURITY NUMBER DISCLOSURE STUDENTS AND PARENTS

Section 119.071(5)(a)2.-4., Florida Statutes requires agencies to notify individuals of the purpose(s) that require the collection of Social Security numbers. The District School Board of Pasco County collects social security numbers (SSNs) for the following purposes:

- Social Security numbers are requested by the National School Lunch Act from parents on the free or reduced price meal application and household verification process as part of determining a family's eligibility for their child(ren) for free or reduced price meals.
- Social Security numbers are used by the Florida Department of Education as a standardized identification number to track students from year to year and when they move from one school or county to another. Social Security numbers are used for students in grades 10 through 12 as identifiers for colleges and scholarship programs such as Bright Futures. For students in grades Pre-Kindergarten through 12, Social Security numbers are used as identifiers for enrollment and attendance, funding reports (such as FTE), tracking of achievement gains,

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

PRIVACY RIGHTS UNDER THE HEALTH INFORMATION PORTABILITY ACCOUNTABILITY ACT (HIPAA)

Protected health information includes demographic and medical information that concerns the past, present, or future physical and/or mental health of parents and eligible students.. Demographic information could include name, address, telephone number, social security number and any other means of identifying parents or eligible students as a specific person. Protected health information contains specific information that identifies a person. Protected health information of parents or eligible students may be used or disclosed for purposes of treatment (emergency care, for example), payments and health care operations. The school district may send medical information to Medicaid, insurance companies, or community agencies to pay for services provided to parents or eligible students. Some protected health information can be disclosed without the written authorization of the parents or eligible students, as allowed by law.

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.

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
- career and educational 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.

What are the rights of a parent of an eligible student?

Parent, legal guardian(s), or adult/eligible students have the rights of access, challenge, and privacy with respect to their education records. Whatever rights are vested in the parent or guardian shall pass to the student whenever the student has attained 18 years of age or is attending an institution of post-secondary education. Parents shall have access to their dependent children’s records regardless of age, but shall not have the right to sign for release of those records.

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: Educable Mentally Handicapped, Speech and Language Impaired, Visually Impaired, Deaf/Hard of Hearing, Specific Learning Disabilities, Gifted, Emotional Behavior Disability, 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.