



STUDENT RECORDS MANUAL

Dr. Kamela Patton
Superintendent of Schools

2012-2013



www.collierschools.com

Dr. Kamela Patton
Superintendent of Schools

THE DISTRICT SCHOOL BOARD OF COLLIER COUNTY

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This report has been prepared by The District School Board of Collier County.
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Report Number:
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No person in this district shall, on the basis of race, national origin, sex, disability, marital status, religion, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in employment conditions or practices conducted by The District School Board of Collier County.

VISION STATEMENT

All students will complete school prepared for ongoing learning as well as community and global responsibilities.

For questions or complaints (adults) regarding the Educational Equity Act, Title IX, Section 504 (Rehabilitation Act), or the Americans with Disabilities Act, contact Debbie Terry, Executive Director of Human Resources, (239) 377-0344. For questions or complaints (students) regarding the Educational Equity Act, Title IX, or The Age Discrimination Act of 1975, contact Dr. Diedra Landrum, Coordinator of School Counseling, (239) 377-0517. For questions or complaints (students) regarding Section 504 (Rehabilitation Act) and the Americans with Disabilities Act, contact Dr. L. Van Hylemon, Coordinator, Psychological Services, (239) 377-0521. The address for the above contacts is: The District School Board of Collier County, 5775 Osceola Trail, Naples, FL 34109.

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In order to provide appropriate educational services and programming, the School Board must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and control access to students' personally identifiable information.

I. Maintenance of Student Records

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and necessary and relevant to the function of the School District or specifically permitted by this Board shall be compiled by District employees.

Each school shall maintain a permanent cumulative record for each student enrolled in the school which shall contain the data as prescribed by Administrative Rule F.A.C. 6A-1.0955 and School Board Policy 8330. Each student's cumulative record shall include the following types of data:

A. Category A Records, Permanent Information

- Student's full legal name.
- Authenticated birthdate, place of birth, race, ethnicity and sex;
- Last known address of the student or student.
- Name(s) of the student's parent(s) or guardian(s)
- Name and location of last school attended.
- Number of days present and absent, date enrolled, date withdrawn.
- Courses taken and record of achievement, such as grades, credits, or certification of competence.
- Date of graduation or date of program completion.

B. Category B Records, Temporary Information

- Health information, family background data, standardized test scores, state-mandated achievement test scores, educational and vocational plans, honors and activities, work experience reports, and teacher/counselor comments.
- Reports of student services or exceptional student staffing committees, including all information required by F.S. 1001.42.
- Correspondence from community agencies or private professionals.
- Driver education certificate.
- A list of schools attended.
- Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
- Written requests to waive access to confidential records.
- Written requests to restrict the release of directory information.
- Court orders of relevance.
- Records of major student discipline actions, suspension, and/or expulsion records.
- Home language survey.
- Student Limited English Proficiency (LEP) Plans.

- Such other records of educational importance as the school shall deem necessary.
- Records designated for retention by the Florida Department of State in General Records Schedule GS7 for *Public School Pre-K-12, Adult and Vocational/Technical*.

Category A and B records shall be maintained in compliance with the approved District records retention schedule.

Individual exceptional student records shall be kept separate from regular cumulative records. These records shall be sent to each succeeding school the student attends in the District and shall be maintained in accordance with the approved District records retention plan.

Periodic review for elimination of outdated information in student records by the custodian or designees shall be made in accordance with F.S. 1001.52, and the approved District records retention plan. The custodian of the student records shall be responsible for maintaining the accuracy of information by purging student records in accordance with the General Records Schedule for Public Schools (GS-7) and F.S. 1001.52. Explanations placed in the education record and the record of access shall be maintained for as long as the education record to which it pertains is maintained. This procedure must be implemented before records are released to any vocational-technical centers, community colleges, or institutions of higher learning in which the student seeks or intends to enroll.

Type Record	Location	Custodian	Address
Active and inactive student records as specified in the district Records Management Manual	Last school attended	Principal of last school attended	As shown in local directory
Inactive student cumulative records (Category A) as specified in the district Records Management Manual	Central District office	Superintendent or designee	Records Management Educational Services Facility
Individual exceptional student education records as specified in the district Records Management Manual	Last school attended	Principal of last school attended	As shown in local directory
Individual student psychological records as specified in the district Records Management Manual	Last school attended	Principal of last school attended	As shown in local directory

C. Fingerprints

No report or record relative to a student which includes a copy of the student's fingerprints will be maintained by the District.

The Superintendent or designee will be responsible for the privacy and

security of records that are not under the supervision of the school principal.

II. Access to Student Records

The rights of students and their parents with respect to education records created, maintained, or used by the district must be protected in accordance with Federal and State law, in particular the Family Educational Rights and Privacy Act ("FERPA") and implementing regulations 34 CFR §99.1, et seq. and F.S. 1002.22 and 1002.221. Students and their parents have the right to access their education records, including the right to inspect and review those records, have the right to waive their access to their education records in certain circumstances, have the right to challenge the content of the education records, have the right of privacy with respect to such records and reports, and receive notice of their rights with respect to education records.

In addition to students and their parents and eligible students, student records shall be available only to designated school officials and personnel, to such persons as the parent or eligible student authorizes in writing, a court of competent jurisdiction or to other individuals or organizations as permitted by law.

- The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).
- The term "eligible student" refers to students who are eighteen (18) years of age or older, or who are enrolled in a postsecondary institution, regardless of age.

Schools may, without consent of parents, guardians, or eligible students, provide access to school officials to perform an administrative, supervisory, or instructional task, or to perform a service or benefit for the student or the student's family, and psychologists within the School District providing they have a legitimate educational interest. Support employees may be designated by the principal for the purpose of doing clerical work and maintaining student records. However, such persons shall receive in-service training concerning the confidentiality of student records and work under the supervision and control of an administrative staff member.

Whenever a student has attained eighteen (18) years of age, the permission and consent required of and rights accorded to the parents of the student as to student records maintained by the District, shall thereafter be required of and accorded to the eligible student only, unless the eligible student is a dependent of his/her parents as defined in title 26 U.S.C. Section 152 of the Internal Revenue Code of 1954. The school district may, in this instance, disclose personally identifiable information from the education records to the parents without the prior consent of the eligible student.

Whenever a student has enrolled in a postsecondary institution, regardless of age, the permission and consent required of and rights accorded to the parents of the students as to student records maintained by the postsecondary institution shall transfer to the student if over 18 years old; although the parent shall also be notified if the student is a resident in his parents' home or otherwise financially dependent on them.

The custodian of the student record shall permit the eligible student or the parents or guardians of the student who is or has been in attendance in the School District to

inspect and review the education records of the eligible student or student. Provisions for such inspection and review shall be made within a reasonable period of time of the request, but in no case shall be more than thirty (30) days after the request has been made.

The District presumes that the eligible student or either parent of the student has the right to inspect, review, and receive copies of the education records of the student or eligible student unless the Board, its staff, or the individual school has been provided a legally binding instrument or court order governing such matters as divorce, separation, or custody which provides to the contrary.

[Note: F.A.C. 6A-1.0955 requires that the policy include a schedule of charges]

In instances where records are opened to parents, guardians, or eligible students, school shall make available a member of the professional staff to interpret the record and shall provide copies,

- upon request and payment of the current District copy rate, which shall not exceed the maximum rate for copies of public records as set forth in Chapter 119, Florida Statutes.
- upon request, free of charge

The copy rate will include actual reproduction costs and will not include the labor costs for retrieval.

School officials shall provide requesting parents, guardians, or eligible students an opportunity for a hearing to challenge the content of their child's or the eligible student's school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Parents, guardians, and eligible students may waive their right of access to confidential letters or statements of recommendations or evaluation. Such waiver shall be made in writing to the custodian of the records and shall be signed by the parent, guardian, or eligible student. Such waiver shall apply to recommendations or evaluation only if:

- A. the parent, guardian, or eligible student is, upon request, notified of the names of all persons submitting confidential letters or statements; and
- B such recommendations or evaluations are used solely for the purpose for which they were specifically intended.

The waiver of right of access may be revoked in writing with respect to actions occurring after the revocation

III. Court Request of Records

- A. Student records may be disclosed to a court of competent jurisdiction provided that reasonable notification is given in advance to the parents and students. If the principal or his/her designees is unable to notify prior to time for compliance set forth in the court order s/he shall bring to the court's attention the provision of the Family Educational Rights and Privacy Act of 1974 and comply with the courts instruction.
- B. Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the student, or his/her parent if the students is either a minor and not attending an institution of postsecondary education or a dependent of such parent as defined in 26 U.S.C. 152 (s.152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

The Superintendent may, in writing, authorize access to student records to representative of the Federal, State, or local educational authorities.

In accordance with FERPA, its implementing regulations and F.S. 1002.225, transcripts of a student's records may be released without written consent from the student's parents, guardians, or eligible student, to any vocational-technical center, community college, or any postsecondary institutions of higher learning in which the student seeks or intends to enroll. A copy of the records may be released to the student's parents, guardians, or eligible student upon request. This policy is also applicable in instances where such a request is in connection with a student's application for, or receipt of, financial aid.

IV. Hearing Procedure to Correct Student Records

Whenever a parent, guardian, or eligible student believes the content of the student record is inaccurate, misleading, or in violation of their privacy, they may request in writing an informal meeting with the custodian of the record for the purpose of requesting the correction, deletion, or expunction of any inaccurate, misleading, or otherwise inappropriate data or material contained in the student record.

If the parties at the informal meeting agree to make deletions, or expunge material, or to add a statement of explanation or rebuttal to the file, such agreement shall be reduced to writing and signed by the parties, and the appropriate school officials shall take the necessary actions to implement the agreement. If agreement is not reached, denial of the request and notification of the right to a formal hearing shall be made in writing to the parent, guardian, or eligible student with a copy to the Superintendent or designee.

Upon the request of a parent, guardian, or eligible student, a formal hearing shall be held. Such hearing shall be requested, in writing within ten (10) days of the written notice of denial at the informal meeting, to the Superintendent or designee, who shall appoint a hearing officer who shall be any official of the school system with no direct interest in the outcome of the hearing. The hearing officer shall convene and conduct the hearing and shall render a decision in writing to all concerned parties within ten (10) days of the conclusion of the hearing. Such hearing shall be held within a reasonable

period of time but in no case shall be held more than thirty (30) days from the date of the written request.

The parents, guardian, eligible student and officials of the school shall be afforded a full and fair opportunity to present evidence relevant to the issues raised. The hearing shall be recorded and available to all parties. However, the record of such hearings are exempt from disclosure under Chapter 119, Florida Statutes, unless otherwise directed by law.

If the decision of the hearing officer is that the records are not inaccurate, misleading, or otherwise in violation of privacy rights, the parent, guardian, or eligible student shall be allowed to comment in writing on the information in the education record and set forth any reasons for disagreeing with the decision. This written response shall be filed in the education records of the student.

V. Disclosure of Student Record Information

A. Prior Written Consent

1. Prior written consent of the parent, guardian, or eligible student shall be obtained prior to disclosing personally identifiable student information other than directory information. The written consent shall include:
 - a. signature of the parent, guardian, or eligible student;
 - b. date;
 - c. specification of records or information to be disclosed;
 - d. purpose of the disclosure;
 - e. and the party or class of parties to whom a disclosure is to be made.
2. Disclosures of personally identifiable student information will be made only on the condition that the party or parties to whom the information is disclosed shall not disclose the information to any other party without prior written consent of the parent, guardian, or eligible student, as appropriate. Personally identifiable student information which is disclosed to an institution, agency, or organization may be used its officers, employees, and agents, but only for the purposed for which the disclosure was made. The District presumes the parent, guardian, or eligible student has the authority to grant permission for disclosure of personally identifiable student information unless the District has been provided with evidence that there is a legally binding instrument or State law or court order governing such matters as divorce, separation, or custody which provides to the contrary.

B. Without Prior Written Consent

Pursuant to FERPA, its implementing regulations and applicable State law, personally identifiable information or records of a student may be released to the following persons or organizations without the prior written consent of the student or the student's parent or guardian:

1. Officials of schools, school systems, career center, or public postsecondary educational institutions in which the student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent or student upon request.
2. Other school officials, including teachers within the educational institution or agency, who have legitimate educational interests in the information contained in the records.
3. The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, the Comptroller General of the United States, or State or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable Federal statutes and regulations of the United States Department of Education, or in applicable State statutes and rules of the State Board of Education.

The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16). This written agreement must include:

- (a) designation of the receiving individual or entity as an authorized representative;
- (b) specification of the information to be disclosed;
- (c) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements;
- (d) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity;
- (e) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed to carry out the audit or evaluation, along with a specific time period in which the information must be destroyed; and
- (f) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the District will use "reasonable methods" to verify that the authorized representative complies with FERPA, its implementing regulations and analogous State law. Specifically, the District will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government-supported educational programs. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the

information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit evaluation or compliance activity.

4. Appropriate parties with a student's application for or receipt of financial aid, if necessary to determine the eligibility for the aid; determine the amount of the aid; determine the conditions for the aid; and/or enforce the terms and conditions of the aid.
5. Individuals or organizations conducting studies for or on behalf of an institution or a board of education for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, if the studies are conducted in a manner that does not permit the personal identification of students and their parents by persons other than representatives of such organizations and if the information will be destroyed when no longer needed for the purpose of conducting such studies.

In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14)

This written agreement must include:

- (1) specification of the purpose, scope, duration of the study, and the information to be disclosed;
- (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study;
- (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and
- (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

6. Accrediting organizations, in order to carry out their accrediting functions.
7. School Readiness Programs as provided in State law in order to carry out their assigned duties.
8. For use as evidence in student expulsion hearings conducted by a district school board under F.S. Chapter 120; however, public records of expulsion hearings shall not contain any personally identifiable

information.

9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.
10. The Auditor General (AG) and the Office of Program Policy Analysis and Government Accountability (OPPAGA) in connection with their official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General and the Office of Program Policy Analysis and Government Accountability is confidential and exempt from F.S. 119.07 (1) and shall be protected in a way that does not permit the personal identification of students and their parents by other than the AG, the OPPAGA, and their staff, and the personally identifiable data shall be destroyed when no longer needed for the AG's and the OPPAGA's official use.
11. A court of competent jurisdiction in compliance with an order of that court, or the attorney of record in accordance with a lawfully issued subpoena, upon the condition that the student and the student's parent are notified, in writing, of the order or subpoena in advance of compliance therewith by the educational institution or agency.

Student records may be disclosed pursuant to a lawfully issued subpoena, upon the condition that the student, or his/her parent if the student is either a minor and not attending a postsecondary educational institution or a dependent of such parent as defined in 26 U.S.C. 152 (section 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

12. Credit bureaus, in connection with an agreement for financial aid that the student has executed, if the information is disclosed only to the extent necessary to enforce the terms or conditions of the financial aid agreement. Credit bureaus shall not release any information obtained under this paragraph to any person.
13. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions and expulsions that provide structured and well-supervised educational programs supplemented by a coordinated overlay of other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing their education. Information provided in furtherance of such interagency agreements is intended solely for use in determining the appropriate programs and services for

each juvenile or the juvenile's family, or for coordinating the delivery of such programs and services, and as such is inadmissible in any court proceeding prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.

14. Consistent with the Family Educational Rights and Privacy Act, the Department of Children and Families, or a community-based care lead agency acting on behalf of the Department of Children and Families, as appropriate.
15. Parents of a dependent student as defined by the Internal Revenue Service Tax Code of 1986 and in this policy.
16. "Directory information" as specified in policy and this manual.
17. If the District initiates legal action (a lawsuit) against a parent, or if the parent initiates legal action against the District. In such circumstances, the District may disclose to the court, without a court or subpoena, the education records of the student that are relevant for the District to proceed with legal action as the plaintiff or to defend itself.
18. If the release is to the Attorney General of the United States or to his/her designee in response to an ex parte order on connection with the investigation or prosecution of terrorism crimes specific in Sections 2331 and 2332 of Title 18, U.S. Code.

Under this exception, school officials are not required to record (i.e., on and access log) the disclosure information from a student's education record when the school makes pursuant to an ex parte order.

Further, an educational institution that, in good faith, produces information from education records in compliance with an ex parte order shall not be liable to any person for that disclosure.

19. If the release is in conjunction with reporting a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, copies of the student's special education and disciplinary records may be transmitted to the authorities for their consideration.
20. If the release is otherwise permitted under Federal Law (for students in Exceptional Student Education only).

C. Record of Disclosures

Record of any requests or disclosures of personally identifiable student information shall be maintained except for disclosures to the parent, guardian, or eligible student; disclosure of directory information; or to any other school officials with a legitimate educational interest. The record of requests for disclosure shall include the following:

- (1) the parties who have requested or obtained personally identifiable information,
- (2) the legitimate interests of the persons requesting or obtaining the information, and
- (3) date parental/eligible student consent was obtained

- With regard to such disclosures, a “school official” is determined to be any employee of the District with direct responsibility for providing services to students.
- A “legitimate educational interest” is determined to mean responsibility for providing direct educational services to students which include teaching, counseling, psychological services, or other services to student which require access to personally identifiable information and/or those specified in the law.

D. Disclosures – Health or Safety Emergencies

Disclosure of personally identifiable student information may be made by school officials in the event of a health or safety emergency. Such emergency situations shall be declared in writing to the Superintendent by a recognized legal official with authority to declare such emergency. The declaration of a health or safety emergency shall include the need for specific personally identifiable student information, the time requirements for the information, and the parties to whom the information is disclosed who are responsible for utilizing the information to deal with the emergency.

VI. Directory Information

In accordance with recent FERPA amendments, the District shall make available, upon request, certain information, known as “directory information” without prior permission of the parents or the eligible student. Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates as student “directory information”:

- a student’s name;
- photograph;
- address;
- telephone number, if it is a listed number;
- email address;
- date and place of birth;
- participation in officially recognized activities and sports;
- height and weight, if a member of an athletic team;
- dates of attendance
- grade level;
- enrollment status;
- date of graduation, or program completion;
- awards received;
- most recent educational agency or institution attended.

An annual written notice shall be given to inform parents, guardians, and eligible students of their rights of access, waiver of access, challenge and hearing, privacy, categories of personally identifiable student information designated as directory information data, and the location and availability of the District's policy on education records of students. Alternate methods of notice shall be made for parents, guardians or eligible students unable to comprehend a written notice in English. Parents or eligible students may, by providing a written statement to the principal within two (2) weeks of the first day of the school year or entry into the school system request that all specific portions of directory information for that specific student not be released.

In accordance with Federal law, and Board Policy, the District shall release the names and addresses of students in grades ten through twelve (10-12) to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requires such information. Such data shall not be released if the eligible student or student's parents submit a written request not to release such information. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces". The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer. A secondary school student or parent of the student may request that the student's name, address, and telephone listing not be released without parental consent.

Whenever parental consent is required for the inspection and/or release of a student's health or educational records or for the release of "directory information", either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The District may disclose "directory information" of former students, who are 18 years or older, without student or parental consent.

VII. Transfer of Student Records

When a student, previously enrolled in a Collier County School transfers out of the Collier County School District to another school, public or private, within the State or out of State, the principal, upon written request of the principal of the receiving school, the parent, guardian, or eligible student, shall immediately transfer a copy of the student's cumulative record containing Category A and B information to the requesting school. Pursuant to Federal law, disciplinary records with respect to suspension and expulsion shall be considered "other records of educational importance" and, as a Category B record, shall be transferred to the requesting school. The Board authorizes the administration to forward all Category A and B student records, including disciplinary records with respect to any current suspension and expulsion, upon request to a school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. The school

shall retain a copy of the Category A information in its files. A copy of the Category B (Exceptional Student Education Audit File) records will also be retained. Category B health and testing information shall be retained if it is related to a weighted or categorical program placement which is subject to audit. The files which are retained will be held by the principal who is custodian of the records for the period of time specified in Records Management Manual. Category A student records and Category B (Exceptional Student Education Audit File) beyond the specified after the student leaves the District will be forwarded to Records Management.

- When a request comes to the school for student records after the files have been sent to Records Management, the written request should be forwarded to Records Management.
- When a request comes to the school for student records after the files have been sent to Records Management, the written request should be forwarded to Records Management.

Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records. Records Management will make copies of the student's files at the current District copy rate, which shall not exceed the maximum rate for copies of public records as set forth in Chapter 119, Florida Statutes.

While all reasonable efforts shall be made to collect for damaged or lost library books or textbooks, under no conditions shall the transfer of a student's cumulative record be delayed or denied for failure to pay any fine or fee assessed by the school. Progress reports to parents (report cards) may not be withheld for failure to pay any fine, fee, or an assessment for lost or damaged books.

The Superintendent shall ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's educational records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the students educational records, except to those disclosures allowed by the law;
- D. challenge District noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the Department of Education;
- F. obtain a copy of the District's policy and administrative procedures on student records.

The Superintendent shall also develop, and update as needed, procedures for:

- A. the proper storage and retention of records including a list of the type and location of record;
- B. informing District employees of the Federal and State laws concerning student records.

The District is authorized to use the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records. No liability shall attach to any member, officer, or employee of this district specifically as consequence of permitting access or furnishing student records in accordance with policy and procedures.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations and applicable Florida law. Further, such an entity must enter into a written contract with the Board of Education delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Education. (See Form 8330 F14 and Form 8330 F16 for additional contract requirements.)

APPENDIX

THE DISTRICT SCHOOL BOARD OF COLLIER COUNTY, FLORIDA

AUTHORIZATION TO RELEASE OR RECEIVE INFORMATION

DATE _____ SCHOOL _____

STUDENT NAME _____ Date of Birth _____ Student I.D. # _____

ADDRESS _____

This authorizes Collier County Public Schools to **RELEASE** or **RECEIVE** (check one) the following:

- | | |
|---------------------------------|---|
| 1. Official School Transcript | 5. Treatment Plan/Summary |
| 2. Health Data | 6. Teacher/Counselor Ratings and Observations |
| 3. Standardized Test Scores | 7. Psychological Reports* |
| 4. Record of Student Activities | 8. Other (Specify) |

TO or FROM Individual/Agency _____

Address _____

For the Following Purpose:

1. Exchange of Information
2. Personal Records
3. Student Transfer

Signature _____

The Federal Family Rights and Privacy Act does not require parent permission for sending records to a school to which a student is transferring.

Please Print Name Relationship

Address State Zip

* Psychological Report Released From:	
1. School	Date: _____
2. Student Services	Date: _____
COPY TO STUDENT SERVICES IF RELEASED FROM SCHOOL	

COLLIER COUNTY PUBLIC SCHOOLS IS AN EQUAL ACCESS/EQUAL OPPORTUNITY INSTITUTION FOR EDUCATION AND EMPLOYMENT

For questions or complaints (adults) regarding the Educational Equity Act, Title IX, Section 504 (Rehabilitation Act), or the Americans with Disabilities Act, contact Debbie Terry, Executive Director of Human Resources, (239) 377-0344. For questions or complaints (students) regarding the Educational Equity Act, Title IX, or the Age Discrimination Act of 1975, contact Dr. Diedra Landrum, Coordinator of School Counseling/Elementary, (239) 377-0517. For questions or complaints (students) regarding Section 504 (Rehabilitation Act) and the Americans with Disabilities Act, contact Dr. L. Van Hylemon, Coordinator of Psychological Services, (239) 377-0521. The address for the above contacts is: The District School Board of Collier County, 5775 Osceola Trail, Naples, FL 34109.

THE DISTRICT SCHOOL BOARD OF COLLIER COUNTY, FLORIDA
WAIVER OF ACCESS TO DESIGNATED
CONFIDENTIAL INFORMATION

I, (print name) _____ hereby waive right of access to the following confidential recommendations from the school records of:

Student Name _____ Date of Birth _____

For the purpose of:

- _____ admission to post-secondary educational institution
- _____ application for employment
- _____ application for receipt of financial aid
- _____ honors or honorary recognition
- _____ other: _____

Signature of parent or eligible student _____

Relationship _____ Date _____

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JUNTA ESCOLAR DEL CONDADO DE COLLIER, FLORIDA

**RENUNCIA VOLUNTARIA AL DERECHO DE ACCESO A INFORMACION
CONFIDENCIAL DESIGNADA**

Yo, (nombre -letra de molde) _____

Por la presente, renuncio al derecho de acceso a las siguientes recomendaciones
confidenciales mantenidas en los expedientes académicos de :

Nombre del estudiante _____ Fecha de nacimiento _____

_____ entrada a una institución educativa post-secundaria

_____ solicitud de empleo

_____ solicitud para recibir ayuda económica

_____ honores o reconocimientos

_____ otra

Firma del padre o estudiante elegible _____

Parentesco con el estudiante _____ Fecha _____

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ACCESO PARA LA EDUCACION Y EMPLEO.

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KONSEY ADMINISTRASYON DISTRI LEKOL COLLIER COUNTY, FLORIDA

RENONSE A DWA POU BAY AKSE A ENFOMASYON

KONFIDANSYEL YO CHWAZI

Dat

Mwen, _____

(Ekri ak lèt enprimri non moun ki mande renonse ak dwa yo; paran osnon elèv ki kalifye) ki abite nan adrès sa a:

renonse ak dwa mwen genyen pou bay aksè ak rekòmandasyon konfidansyèl sa yo ki nan dosye lekòl elèv

Non Elèv la _____ Dat li Fèt _____

_____ admisyon pou ale nan lekòl pwofesyonèl aprè lekòl segondè

_____ aplikasyon pou travay

_____ aplikasyon pou resevwa èd finansyè nan men gouvènman an

_____ plak donè oubyen onorè pou rekonesans

Siyati paran oubyen elèv ki kalifye pou siyen _____ Relasyon _____

LEKOL PIBLIK COLLIER COUNTY SE YON ENSTITISYON KI BAY AKSE/OPOTINITE EGAL EGO POU EDIKASYON AK TRAVAY

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THE DISTRICT SCHOOL BOARD OF COLLIER COUNTY, FLORIDA

Dear Parent, Guardian, or Adult Student:

Under State and Federal regulations, the District School Board of Collier County is required to inform all parents of policies for protecting the confidentiality of educational records of all students, and the child identification activities for Exceptional Student Education programs. The Collier County Public Schools has adopted policies which are consistent with State and Federal law.

Student Records

Parents have the following rights in regard to educational records:

1. The right to review records maintained on their child or children.
2. The right to a copy of the records at the current cost of copying.
3. The right to challenge the accuracy or appropriateness of data contained in the records.
4. The right to privacy of educational records as provided in district guidelines.
5. The right to designate a third party to which educational records are to be provided.
6. The right to waive access to designated confidential information.

Educational records include such information as student's name and any known changes, birth date, race and sex, last address, school last attended, name of parents or guardians, attendance records, dates of entrance and withdrawal, courses taken and records of achievement, dates of graduation or program completion, health records, Student Services referrals, records of learning disabilities, all other Exceptional Student Education screening and evaluation data, anecdotal comments, extracurricular activities and honors, suspension letters, record of parent conferences and contacts.

Federal law and School Board Rules provide that military recruiters and institutions of higher education may request Directory Information for eleventh and twelfth grade students.(See XI) For purposes of military recruiters/postsecondary institutions, "directory information" includes the student's name, address, telephone number (unless not listed), and date of birth. Parents, however, can request that Directory Information regarding their child not be released by the district as an "opt out" option. The rule and "opt out" form are included in the *Collier County Code of Student Conduct* that are distributed each year.

Procedures for exercising your rights in regard to educational records begin with contact with the principal. Should you wish to review the procedures of the district concerning educational records, complete procedures are specified in "Guidelines for Educational

Records." A copy of this document is available in the principal's office of each of the schools in Collier County.

Should you have questions, please contact your school principal.

Sincerely,

Dr. Kamela Patton

Superintendent

COLLIER COUNTY PUBLIC SCHOOLS IS AN EQUAL ACCESS/EQUAL OPPORTUNITY INSTITUTION FOR EDUCATION AND EMPLOYMENT

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APPENDIX C

(SPANISH)

JUNTA ESCOLAR DEL CONDADO DE COLLIER, FLORIDA

Estimados Padres, Encargado ó Estudiante Adulto:

Bajo los Reglamentos Estatales y Federales es necesario que La Junta del Distrito Escolar del Condado de Collier informe a todos los padres de las normas designadas para proteger la confidencialidad de los expedientes educativos de todos los estudiantes y las actividades de identificación de niños en programas de Estudiantes Excepcionales. Las normas adoptadas por las Escuelas Públicas del Condado de Collier están de acuerdo con las leyes Estatales y Federales.

Expedientes de Estudiantes

Los padres tienen los siguientes derechos en cuanto a los expedientes educativos:

1. Derecho a revisar los informes mantenidos sobre su hijo/a o hijos.
2. Derecho a una copia de los informes al costo actual por copia.
3. Derecho a objetar la exactitud y corrección de los informes mantenidos en los expedientes.
4. Derecho a confidencialidad de los expedientes educacativos como se estipula en las normas del distrito.
5. Derecho a designar una tercera persona para recibir los informes educativos.
6. Derecho a renunciar al acceso de información designada confidencial.

Los informes educativos incluyen los siguientes datos: nombre del estudiante y cualquier cambio efectuado, fecha de nacimiento, raza, sexo, dirección actual, última escuela que asistió, nombre de padres o encargado, datos sobre asistencia, fechas de comienzo y terminación, cursos tomados e informes sobre logros, fechas de graduación o programa completado informes de salud, referencias de servicios de estudiantes, informes sobre incapacidades en aprendizaje y toda otra investigación y evaluación de datos del Programa Educativo de Estudiante Excepcional, comentarios anecdóticos, actividades y honores fuera del plan de estudio, aviso de suspensión, informes sobre conferencias con los padres y contactos.

La Ley Federal y el Reglamento de la Junta Escolar 25/2 provee que los reclutadores militares é instituciones de educación superior pueden petitionar información del Directorio de Estudiantes de los grados Once y Doce (11th & 12th) (ver XI). Para propósitos de reclutamiento militar é instituciones pos-secundario, el Directorio de Información incluye el nombre, dirección y número de teléfono del estudiante (si no es privado) y fecha de nacimiento. Los padres, no obstante, pueden solicitar al Directorio de Información que información con respecto a su hijo/a no sea dada a la publicidad por el distrito como una opción. El Formulario de Reglamento y la opción están incluidos en el Código de Conducta del Estudiante del Condado de Collier que es distribuido cada año.

Procedimientos para ejecutar sus derechos en cuanto a expedientes educativos empiezan con una entrevista con el Director. Si usted desea revisar los procedimientos del distrito en cuanto a informes educativos, estos procedimientos completos se encuentran especificados en "Pautas de Informes Educativos". Una copia de este documento se encuentra en la oficina del director en cada escuela del Condado de Collier.

Si usted desea mayor información, puede comunicarse con el director de la escuela.

Atentamente,

Dr. Kamela Patton

Superintendente

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KONSEY ADMINISTRASYON DISTRI LEKOL COLLIER COUNTY, FLORIDA

Chè Paran, Responsab, oubyen Etidyan ki Majè:

Pou reponn ak ekzijans regilasyon Eta ak Federal yo, Konsèy Administrasyon Distri Lekòl Collier County a oblije enfòmè tout paran yo sou règleman ki ekziste pou pwoteje konfidansyalite dosye edikasyon tout etidyan, ansanm ak idantifikasyon aktivite timoun ki nan pwogram Edikasyon pou elèv Eksepsyonèl yo. Lekòl Piblik Collier County yo adopte règleman ki konsistan avèk lwa Eta ak lwa Federal yo.

Dosye Etidyan yo

Paran yo gen dwa nou pral site la yo konsènan dosye edikasyon pitit yo:

1. Dwa pou revize dosye ki konsève sou pitit yo.
2. Dwa pou gen yon kopi dosye timoun yo aprè yo peye pri kopi yo.
3. Dwa pou kontrekare enfòmasyon ki nan dosye yo si yo panse ke yo pa kòrèk oubyen apwopriye.
4. Dwa pou konsève dosye edikasyon yo an prive swivan sa gid distri a di.
5. Dwa pou dezinye yon twazyèm pati ki pou resevwa dosye edikasyon yo.
6. Dwa pou renonse ak pouvwa yo genyen pou bay moun aksè a enfòmasyon konfidansyèl yo deziye.

Dosye edikasyon yo gen ladan yo enfòmasyon tèlke non elèv la ak nenpòt lòt chanjman ki fèt, dat li fèt, ras ak sèks li, dènye adrès li te rete, dènye lekòl li te frekante, non paran oubyen responsab li, dosye sou prezans ak patisipasyon li nan lekòl la, dat li antre epi kite lekòl la, kou li te asiste ak dosye sou pèfòmans li, dat li gradye osnon pwogram li konplete, dosye sante li, ranvwa/referans pou Sèvis Elèv yo, dosye sou andikap li genyen pou aprann, tout lòt done ekzamen ak evaliyasyon ki fèt nan kad Edikasyon pou Elèv Eksepsyonèl yo, kòmantè ki fèt o aza, aktivite ekstra ak onè, lèt sispansyon, dosye reyinyon paran ak kontra.

La lwa Federal ansanm ak Règleman Konsèy administrasyon Lekòl yo 25/02 founi enfòmasyon ke moun ki ap fè rekwitman pou militè ak enstitisyon etid inivèsité yo kapab rekòmande pou elèv klas onzyèm avèk douzyèm ane yo. (Al verifiye XI) "direktwa enfòmasyon" yo pral bay moun ki ap fè rekwitman pou militè ak enstitisyon etid inivèsité yo gen ladan yo non elèv la, adrès li, nimewo telefòn li (amwens ke nimewo a pa anrejistre), ak dat li fèt. Paran yo, sepandan, kapab rekòmande pou distri a pa pibliye Direktywa Enfòmasyon konsènan pitit yo kòm yon opsyon yo rele "opt out". Ou ap jwenn règleman ansanm ak fòm "opt out" la nan *Kòd Kondwit Elèv Collier County* yo ke yo distribye chak ane.

Pwosedi pou ou ekzèse dwa ou nan sa ki konsène dosye edikasyon yo kòmmanse lè ou antre an kontak avèk direktè lekòl pitit ou a. Si ou ta swete revize pwosedi distri yo konsènan dosye edikasyon yo, yo espesifye pwosedi yo o konplè nan dosye ki rele "Guidelines for Educational Records la." Gen yon kopi dokiman sa a ki disponib nan biwo direktè chak lekòl ki nan Collier County yo. Si ou ta genyen nenpòt kesyon, souple kontakte direktè lekòl ou a.

Sensèman,

Dr. Kamela Patton

Sipèentandan

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RECORD OF ACCESS TO STUDENT RECORDS

On (date) _____ (person or agency) _____
was granted access to the student records of (name) _____
(student ID number _____).

Access to the record was granted for the purpose of _____

Signature of Person Granting Access _____

Date _____

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LINKS TO DISTRICT AND STATE RECORDS RESOURCES

Florida Statute [1002.22](#) Student records and reports; rights of parents and students; notification; penalty.

<http://www.leg.state.fl.us/Statutes/1002.22>

GS1-SL	State and Local Government Agencies	Created November 2006	304KB PDF	874KB WORD
http://dlis.dos.state.fl.us/barm/genschedules/GS1-SL-2006.pdf				

GS7	Public Schools Pre-K-12, Adult & Vocational/Technical	June 1998 <i>New/Revised Items -</i> 12/01/2005 10/20/2004	86KB PDF	183KB WORD
http://dlis.dos.state.fl.us/barm/genschedules/gS07.pdf				

Family Educational Rights and Privacy Act (FERPA)

www.ed.gov/policy/gen/guid/fpco/ferpa/index.html