

Brevard Public Schools

# STUDENT

# RECORDS

# HANDBOOK

Office of Government & Community Relations



2021

# Table of Contents

Purpose and Content of Student Educational Records: General Information	3
What is FERPA?	5
Facility Level Records Request Steps	6
Guidelines for Student Record Retention	7
Record of Disclosures	8
Transfer of Student Records	9
Court Request of Records	10
Directory Information	11
Disclosure of Student Record Information	12
Access to Student Records	14
ESE Records Procedures	15
Student Services Records	15
School -based Record Disposal Cheat Sheet	18
Appendix A: Transfer In Students Log	19
Appendix B: Transfer Out Students Log	20
Appendix C: Educational Records Request Form	21
Appendix D: Records Access/Disclosure Log	22
Appendix E: Breach of PII Sample Letter	23
Appendix F: Request for Public Records of BPS	24
Appendix G: SB Policy 8310 Public Records	25
Appendix H: SB Policy 8330 Student Records	26
Appendix I: Records Disposition Document	28
Appendix J: SB Policy 8350 Confidentiality	29
Appendix K: Sample Withdrawal Checklist	31
Appendix L: Sample New Student Cumulative/Audit File Routing Form	32
Appendix M: Sample Student Record Out Card	33

# Purpose and Content of Student Educational Records

One of the purposes of educational records is to provide professional personnel with longitudinal student information, in order to facilitate instruction, guidance and educational progress of students. They include official cumulative and audit records, files and data directly related to students.

The cumulative record is under control of the principal. The principal maintains a permanent cumulative record for each student enrolled in a public school. This record must be kept current and maintained securely.

Schools are prohibited from maintaining copies of any and all U.S. Citizenship and Immigration Services (CIS) documentation on their students. This prohibition includes passports, visas, green cards, and all other CIS documentation.

This handbook contains Brevard Public Schools expectations for student educational records including how they are classified and how they should be accessed and retained. School leadership should have a thorough knowledge of Brevard School Board policies and procedures for maintenance of student educational records. Only employees who have been trained to work with confidential materials are permitted to work with student educational records. Each school should have a posted list of those persons permitted access to education records.

Public Records are defined by State Statutes. School Board Policy 8330 directs control of all student educational records. Public records do NOT include student educational records, medical records or confidential law enforcement investigatory records.

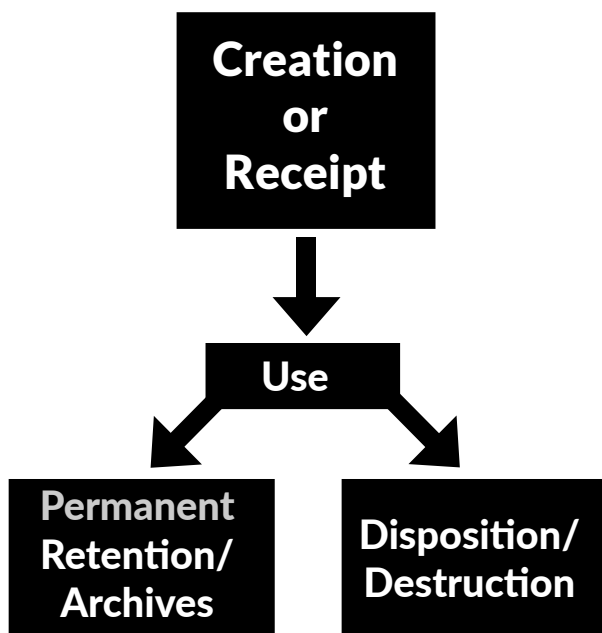
---

## School Level Critical Questions:

**1. Does your school have a student educational records procedural policy which establishes your normal course of business to create, receive, maintain, access and use student educational records? Can you answer the Who? What? Where? When? How? of your school's student cumulative records?**

Effective records management allows schools to maintain and locate records from the time of creation (a new student to Brevard Public Schools) or custody/receipt to final disposition (transfer or records).

A student record has a life cycle:



**2. Are employees aware of procedures for all processes of student records?**

Schools should conduct training each fall to insure all personnel authorized to handle student records have knowledge and understanding of federal, state and local compliance requirements. In addition, processes for the protection and security of student records must be reviewed and monitored on an ongoing basis.

**3. Do you have current documented Records Management Procedures?**

The Division of Government and Community Relations oversees the district's Records Management Procedures. Contact GCR for resources and links to forms.

**4. How do you maintain record transfer lists showing action (a document that lists records transferred or received from other schools)?**

Schools should always be able to verify receiving and/or transferring a student record. (See Appendix A and Appendix B) A student record must never be unaccounted for. If a student record is lost, we have lost personal identifying information (PII)—a security risk for all.

**5. Who maintains record policies, procedures and forms for the school?**

The school principal is the Custodian of Records. However, the school should have a designated Records Coordinator who oversees compliance and monitors procedures on an ongoing basis. Who at the school serves as the principal's designee as the Records Coordinator?

## 6. What does the Records Coordinator do?

This person would:

- Have training and knowledge of student records housed at the school.
- Assist in developing and enforcing the security of records, records retention processes and file plan.
- Manage the school's student educational records, including schedule for purging and preparing records for transfer or archive.
- Attend periodic district training and communicate updates.
- Monitor daily operational and compliance issues.
- Sign off on transfer log and disposition of records.
- Provide permission and sign off whenever a record is removed from records storage room/area.
- Communicate operational issues to school principal.

## 7. Do you receive periodic training on records related policies, procedures and forms?

The Division of Government and Community Relations provides training through the district's Professional Development schedule. In addition, schools may request training. We have available training power point presentations and handbooks available for schools.

## 8. How do you ensure student educational records can be found? How do you preserve records from being lost?

Schools should have defined and monitored procedures for student record access. (See Appendix D) All student records must be housed in secure areas and locked in cabinets. If a record is removed it must have a place holder card inserted, indicating who, where and when the record was removed. If a student record is removed from its secured cabinet, it should not be removed from the room. The place holder should be removed to the front of the file once the record is replaced in the cabinet. No student records should be removed from the records storage area room without permission from the school principal.

## 9. If a student record is lost or cannot be located, what procedures are in place for corrective action?

[Section 501.171, Florida Statutes](#), requires a letter of notification about a breach of personal identifiable information ("PII"). (See Appendix E) BPS is committed to protecting its students' educational records. All schools must make security of student records a priority and take measures to avoid the occurrence of such incidents.

## 10. Have all staff who access records been informed of accountability for student records?

Accountability includes filing records properly, storing records in correct location, using check out cards without exception, and preserving student records with fidelity. Accountability is everyone's priority.

## 11. What are your filing procedures? Is a checklist included for reference with each record folder?

Filing procedures provide guidance on how documents/records should be organized and maintained. (Yellow cumulative folder checklist) School file procedures are different from retention schedules which are approved by FL Division of Library and Information Services.

## 12. What is your school plan for circulation and controlled access of student records? Will records be accessed by authorized personnel only? How will you communicate access permissions?

A list of authorized district personnel who may access student cumulative records is distributed by Student Services and updated each year. Each school should post this list wherever their student cumulative records are stored.

## 13. Do you have an "out" card for a student cumulative record or any part of it that has been taken from a file drawer, cabinet or box? Does the "out card" specify who has taken the cumulative or IEP record? What? Date/Time? To what Site/Location and Expected Return Date/Time? Signature?

The location of any student record should NEVER be in question and access should be secure and auditable. A Student Record Out Card (See Appendix M) should include WHO? WHERE? WHAT? and WHEN?—even if gone for a minute! If a record is moved, the chain of custody should be carefully monitored and location should always be known (in writing) and be secure.



#### 14. Who keeps track of the “out card” requests and returns?

The principal’s designee or Records Coordinator should monitor requests and returns for the principal.

Physically check for record return.

#### Record Removal

- Record checked for return
- Yes-Note on "out card" log, return to file drawer and remove "out card" to front of drawer.
- No-Send reminder. Notify principal.

#### Record Management

- Time Lost looking for a student record is not just a productivity issue.
- Maintain an access log showing each request for access and maintain as long as record is stored.

#### Record Return

- Records should be periodically reviewed for security compliance.
- Record storage and file purging should be scheduled to insure files are organized.

## What is FERPA?

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children’s education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are “eligible students.”

- Parents or eligible students have the right to inspect and review the student’s education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that school correct records, which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information. (SB Policy 8330)
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those

records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):  
School officials with legitimate educational interest;

Other schools to which a student is **transferring**;

Specified officials for audit or evaluation **purposes**;

Appropriate parties in connection with financial aid to a **student**;

Organizations conducting certain studies for or on behalf of the **school**;

Accrediting **organizations**;

To comply with a judicial order or lawfully issued **subpoena**;

Appropriate officials in cases of health and safety emergencies; and

State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, “directory” information such as a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school. (SB Policy 8330)

**For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice).  
Individuals who use TDD may use the Federal Relay Service.**

# Facility Level Records Request Steps

Should someone come into your facility to make a public records or a records request please follow these steps to ensure proper and consistent handling of a request.

**Note:** Even if you have the records on site, please contact Amy Lewandowski in Government and Community Relations.

## Definition of a public record:

Any document produced or used during the course of a normal business day.

**Definition of an educational record:** Any document, which is directly related to a student and that is maintained by an educational agency. **Note:** Requests for student records by parents for students enrolled in your school should be filled at the school level.

Board Policy: Policy 8310 - Public Records

Policy: Policy 8330 - Student Records

**If asked for a record** – define whether it is a public record or an educational record.

**State** “I am not the Custodian of Records, but I will ensure the person responsible for the fulfillment receives this request.” If asked who is or who will handle, please inform the requester, “Amy Lewandowski, in Government and Community Relations will be able to help with your request.” By stating this, you are acknowledging the request and informing them who will be handling it.

Get as much contact information as the requester is willing to give (See Appendix F) and complete the Public Records Request form.

Thank the requester and reiterate to the person

you will forward the request to Amy Lewandowski in Government and Community Relations. If they wish to contact Amy directly, give them the following information: [recordsrequest@brevardschools.org](mailto:recordsrequest@brevardschools.org) or they may call 321-633-1000 ext. 453.

**Do not offer any commentary about the records being sought.** Neither confirm or deny the existence of the records to the individual. If the requester insists on obtaining records immediately, inform them again, “I am sorry, but I am not the Custodian of Records, but I will ensure the person responsible for the fulfillment of this request receives your request.” Any further communication regarding your request will need to be directed to Amy Lewandowski in Government and Community Relations.

*Please note: The requester does not have to give you anything in writing; not a name or any contact information or what they are requesting; everything can be done verbally and if this is the case, it will then be up to you to write it down for the requester—explaining to them that providing it in written form will help ensure no confusion for the Custodian of Records.*

Explain by us obtaining this contact information and materials requested, it will help us to expedite getting the requester the information as quickly as possible. If the requester does not wish to leave any contact information ask them how they would like to be contacted or do they wish to check back with you or they may check in with Amy Lewandowski in Government and Community Relations at [recordsrequest@BrevardSchools.org](mailto:recordsrequest@BrevardSchools.org) or they may call 321-633-1000 ext.453.



# Guidelines for Student Record Retention

## Disposition Guidelines

Prior to disposing of any records or documents, a "Records Disposition Document" must be completed. At the end of the 3-year retention period, all student records eligible for archive should be carefully purged. The appropriate contents of the Category A (#90) items sent for scanning and destruction are defined at the end of this guideline. Along with the Category A items you will have Category B (#91) items (contents that are left in the cumulative file after purging Category A items) that will be entered on a records disposition form and shredded at your location after the 3-year retention period has been met.

### The process should flow in this manner:

1. Fill out disposition form columns "a"- "f" (using the General Records Schedules).
2. Submit disposition form to Tricia Gurrisi, Government & Community Relations for approval.
3. Once disposition form is approved and you have received it back, arrange for the disposal of documents.
4. Once the disposal has taken place, then complete column "g" and box #7 on the disposition form.
5. The Original completed disposition form is returned to Tricia Gurrisi to retain permanently.

For Disposition form questions, please contact Tricia at 321-633-1000 ext. 11796.

## Student Record Guidelines

Records are kept in the school for three (3) years after graduation or separation from the district when the student is not expected to return to a Brevard school.

- The cumulative file folder follows the child if the child transfers to another Brevard Public School or a Brevard County Charter School.
- If the child leaves a Brevard Public School or Charter School, the school holds the cumulative file folder for three (3) years and then follow the steps below.

*(Please note: If a child leaves a Brevard Public School or Brevard County Charter School to go to a Private School or another district or state, the school gives the school copies of the cumulative file folder. The permanent cumulative folder remains at the Brevard Public School or Brevard County Charter School for three (3) school years).*

- All transcripts from other counties/states/countries

that have been sent with the cumulative records to be archived as backup are kept permanently as a Category A student record.

- Please cut the blue elementary school record folder to measure 8 1/2 X 11 (same size as white papers) so it will fit in the scanner.
- Remove all staples and paper clips from the records, folders and log sheet. Please make sure that the pictures are securely taped to the paper and NOT stapled.
- Make sure the records are legible and the print is dark enough to read. If you send light copies of records, or if the writing is not legible, it will be impossible to read when the document is scanned. Trace over light print to make darker.
- Prepare a TYPED log sheet(s) containing an ALPHABETICAL list of student records being archived. List each student's last name, first name & FULL MIDDLE NAME and number each. On the top of each page please be sure to have your school name, School ID#, Year of Graduation or Separation and number each page (P1 or 5, P2 of 5 etc.) Place the log sheet (s) in box #1 only.
- The records should be placed in the box (es) in A-Z order by student last name. Each box should be clearly marked ON THE ENDS, with the School Name, School ID#, School year of separation (example: 2007-2008) and number each box (i.e. Box 1 of 6; Box 2 of 6 etc.)
- When log sheets are completed and records are boxed, please complete a Smartsheet DCR Form Request.

If you have any questions about the DCR form, contact the Warehouse at 321-633-3680, ext. 14100.

After being purged, the Category A (permanent retention) contents of records should include only the following information:

1. The cumulative folder jacket
2. Immunization record
3. The BLUE Elementary School Card (if available)  
If blank please include student name, student ID number, date of birth and place of birth (if available).
4. The YELLOW Middle School Card or transcript (if available)
5. The Student Record Access Log (GS7, Item #111)

6. The final student transcript
7. Include birth certificate and diploma (if available)
8. If no cards or student transcript exist-send documents identifying student number, student name, student birthdate, and parent name (if available).

Student cumulative records will be returned to the sending school if they are not purged and if staples and paper clips are not removed from the records and folders, or blue folders are not cut to measure 8 1/2 X 11 (same size as white papers). Every log sheet must contain the student's last name, first name and full middle name, the school name, school ID number, year of separation and page numbers-on top of every page. (Example: P1 of 5, P2 of 5)

### Contents of Records—Adult Education

After being purged, the Category A (permanent retention) contents of records should include only the following information:

1. The cumulative folder jacket
2. The Education Record which must include:
  - a. School Official's signature
  - b. Graduation/Diploma Date (if student graduated)
  - c. Withdrawal Date
  - d. Requirements for the Adult Education Diploma
3. Please include birth certificate and diploma (if available).

Student cumulative records will be returned if they are not properly purged and if staples and paper clips are not removed.

**Questions?** Call Records Retention Technician at (321) 633-1000 ext. 11584

## 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; the parties who have requested or obtained personally identifiable student information, the legitimate interests of the persons requesting or obtaining the information, and date parental/eligible student consent was obtained. With regard to such disclosures, a "school official" is determined to be any employee of the School Board of Brevard County, Florida, 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 will include teaching, counseling, psychological services, or other services to students which require access to personally identifiable information and/or those specified in the law. 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.





# Transfer of Student Records

When a student, previously enrolled in a Brevard County school transfers out of the Brevard County School District to another school, public or private, within this 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 the Student Records Manual. Category A student records and Category B (ESE Audit File) beyond the specified time after the student leaves the District will be forwarded to Records Management in Government & Community Relations. 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 in Government & Community Relations. Based upon reasonable requests, viewers of education 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 F.S. Chapter 119.

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 prepare administrative procedures to 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 student's 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 laser fiche 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 a consequence of permitting access or furnishing student records in accordance with this 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. 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.

# 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 student. If the principal or his/her designee 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 court's 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 student 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 representatives of the Federal, State, or local educational authorities.

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.

## 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, to 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 (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 F.S. Chapter 119.

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.



# Directory Information

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. A student’s parent(s) or an adult student, however, may notify the Board that directory information concerning the student shall not be released (“opt out”). Such notification shall be in writing and filed annually with the principal of the school and with the District office. The Board designates as student “directory information”:

- A. student name;
- B. photograph;
- C. address;
- D. telephone number, if it is a listed number;
- E. participation in officially- recognized activities and sports;
- F. height and weight, if a member of an athletic team;
- G. dates of attendance;
- H. grade level; enrollment status;
- I. date of graduation or program completion;
- J. awards received; and
- K. 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.

Directory information shall not be provided to any organization for profit-making purposes, unless the request is approved, in a nondiscriminatory manner, by the Superintendent.

In accordance with Federal law, 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 requests 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 request.

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” on former students without student or parental consent.



# 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: signature of the parent, guardian, or eligible student; date; specification of records or information to be disclosed; purpose of the disclosure; 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 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 by its officers, employees and agents, but only for the purpose 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

Personally identifiable information or records of a student, including information identified as “directory information” as specified in this policy 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 centers, 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 a legitimate educational interest in the information contained in the records.
3. The United States Secretary of Education, the Director of the National Institute of 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 regulations. 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 program. 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. School Readiness Programs as provided in State law in order to carry out their assigned duties.
5. 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.
6. Appropriate parties in connection with an emergency, if knowledge of the information in the student's education records is necessary to protect the health or safety of the student or other individuals.
7. 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 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.
8. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement 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 to support alternatives to 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 proceedings prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.

9. Consistent with the Family Educational Rights and Privacy Act (FERPA), 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.
10. Parents of a dependent student as defined by the Internal Revenue Service Tax Code of 1986 and in this policy.
11. 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 order 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.
12. If the release is to the Attorney General of the United States or to his/her designee in response to an ex parte order in 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 (on an access log) the disclosure of 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.
13. 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.

# 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 FERPA and Florida State law. 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 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 other 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 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 students 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 the Internal Revenue Code. The District may, in this instance, disclose personally identifiable information from the education records to the parents without the prior consent of the eligible student.

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 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.

In instances when records are opened to parents, guardians, or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies, at the current District copy rate, upon request.

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 ensure that the records are not inaccurate, misleading, or otherwise in 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.

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 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.

# Brevard County Florida Public Schools ESE Records Procedures

- Exceptional Student Education (ESE) records are housed by schools in an orange-colored Audit File for each ESE student.
- ESE records are considered to be Category B records but have a longer retention period than other Category B records.

For purposes of records retention the Audit Files, for students who are solely-gifted, are considered ESE records.

Parents are notified regarding the retention time of ESE records through the elementary student handbook, the secondary student handbook, and through the IDEA Procedural Safeguards Notice. Schools are responsible for storing the ESE Audit File until the date it can be destroyed and for annually selecting and destroying the ESE records in compliance with established timelines. ESE records are retained for five (5) calendar years after the student's transfer out of the ESE program, parental refusal of admittance to the ESE program, graduation with a standard diploma, or withdrawal of the student from the school district. Withdrawal from the school district means that student is no longer enrolled in any elementary or secondary school in Brevard County (including all private schools and including students that live in Brevard County who are enrolled in a home education/home school program).

Retain ESE records until student attains the age of 27 when:

- The student graduates with a standard diploma via access courses
- The student withdraws before graduation and whereabouts are unknown
- The student attended a private school and graduation status is unknown
- The student enrolled in a home education/home school program and graduation status is unknown

Destroy ESE records after retaining for five (5) years from:

- The date the student graduated with a standard diploma
- The date the student moved out of Brevard County
- The date the student was dismissed from all ESE programs
- The date an eligibility staffing was held and the parent refused to give permission for the student to be determined eligible for an ESE program

ESE Audit Files are never sent to the ESE Records Office at ESF. Each school is the custodian of the ESE record for students who attend/attended that school until the record can be permanently destroyed in compliance with the above timelines.

## Student Services Records

### A. Student Services (SS) Yellow Folder

1. The (SS) Yellow Folders shall be initiated for the first time with documentation of any of the following forms:

- a. Mental Health Forms 1-5 located under the Mental Health tab on the BPS website;
- b. All forms completed during a Suicide Risk Inquiry (SRI) located under the Suicide Risk Inquiry Procedures tab on the BPS website;
- c. Notes (handwritten or typed), drawings from students related to an SRI or TA;
- d. All forms completed during a Threat Assessment (TA);
- e. Contact logs for individual conferencing, counseling, and /or group Tier 2 or Tier 3 Mental Health/Social Emotional Learning interventions (date, time, attendance);
- f. Student Re-entry/Safeguards Plan;
- g. Individual/Group Goal Counseling Plans (e.g., goal sheets, treatment plans);
- h. Official letters/communication or emails from therapists with an outside agency with whom the student is working;
- i. Private evaluations, discharge plans, and related documents released by a parent/legal guardian that relate to MH concerns; and
- j. Copies of BPS psychological assessments (including Social History form) related to MH concerns for students being evaluated for Exceptional Student Education (ESE) or Section 504 who did not qualify for services.

2. Once a (SS) Yellow Folder is generated, or if a student transfers to BPS with Mental Health (MH) records, a piece of yellow paper with the sentence “A Student Services (SS) Yellow Folder is associated with this student” shall be placed in the student’s cumulative file. (See Appendix N)
3. What NOT to include in the (SS) Yellow Folder. Do NOT include the following documents in the (SS) Yellow Folder:
  - a. Internal emails;
  - b. Communications from DCF and/or legal paperwork from DCF (this documentation is to be maintained in the student’s legal file; and/or
  - c. Attendance counseling notes, unless related to a MH concern

#### **B. Access and Storage of (SS) Yellow Folders**

1. The (SS) Yellow Folders shall be stored in a locked cabinet, separate from the cumulative folders.
  - a. The folders shall be signed in and out. (Appendix M)
  - b. A sign-in sheet shall be kept in the locked cabinet with the files to keep student names confidential.
  - c. The student record out sheet (Appendix M) shall have the name of the student, date signed out, and date signed in, with the BPS employee name/initials beside both dates.

2. Only the Principal, Social Worker, School Counselor, School Psychologist, District Mental Health Team, and Principal’s Administrative Designee shall have access to the (SS) Yellow Folder.
3. Parents/legal guardians shall have access to review the (SS) Yellow Folder as with any educational record.
4. No loose documents or papers should be in the (SS) Yellow Folder.

#### **C. Sending and Receiving (SS) Yellow Folders**

1. When a student transfers from one BPS school to another BPS school, to include charter schools, within the school year, the school clerk shall wait until a records request is received from the new school once the student has enrolled in the new school.
2. The clerk will review the cumulative folder to see if a yellow paper stating “Note: A Student Services (SS) Yellow Folder is associated with this student” (Appendix N) is located inside to determine if the student has a (SS) Yellow folder.
3. Each school shall add a line on the school-based Withdraw Checklist where the Principal or designee will sign off that the (SS) Yellow Folder is being released.
4. The Principal or designee will collect the (SS) Yellow Folder, place in a new manila envelope, seal envelope, sign or stamp the opening once sealed, and send through the BPS courier to the receiving school addressed to School Counselor (SC), Social Worker (SW), or Principal.





5. When sending the (SS) Yellow Folder through the BPS courier, the Principal or designee from the sending school shall make an electronic copy or physical copy (to be stored in the locked cabinet) in case it gets lost and may shred the copy when receipt of the original (SS) Yellow Folder is acknowledged upon arrival at the receiving school.
6. The Principal or designee at the receiving school will receive the manila envelope, review the (SS) Yellow Folder, and follow the Access and Storage Procedures above.
7. If the student enrolls/transfers into a full-time Brevard Virtual School, the (SS) Yellow Folder shall be transferred to the school under all educational records procedures.
8. If a student enrolls/transfers to Home Education or Private School, the (SS) Yellow Folder shall be sealed for storage pursuant to section C(4) above and remain with the neighborhood home school under the existing record keeping procedures for educational records.
9. When a student graduates or separates from the district with no expectation to return to BPS, the (SS) Yellow Folder shall be kept at the school according to procedures for educational records.
10. As a reminder, the (SS) Yellow Folders shall be retained for seven (7) anniversary years after the last student contact (under the same record keeping procedures as medical records).

#### **D. End of Year Sending Procedures**

1. At the end of each academic year in which a student will be moving to a new school, the (SS) Yellow Folder shall be sent to the new school over the summer with the rest of the educational records (cumulative, audit, discipline), complying with the additional provisions set forth below:
  - a. The Principal or designee will collect the (SS) Yellow Folder, place it in a new manila envelope, seal the envelope, and sign or stamp the opening once it is sealed.
  - b. When sending the (SS) Yellow Folder through the BPS courier, the Principal or designee from the sending school shall make an electronic copy or physical copy (to be stored in the locked cabinet) in case it gets lost and may shred the copy when receipt of the original (SS) Yellow Folder is acknowledged upon arrival at the receiving school.



# School Based Record Disposal Cheat Sheet

## Document

## Retention/Schedule/Item #

### Office Clerk

Absentee Excuses and Admission Slips  
(Attendance Notes/Student)  
Abuse/Neglect/Abandonment Record

30 days after end of grading period provided any  
grade appeal period expired (GS-7 Item #1)  
3 Anniversary years OR 1 Anniversary year after  
case closed, whichever is sooner (GS-7 Item #110)

Accident Records: Students

4 Anniversary years after date accident  
reported (GS-7 Item #2)

Arrest Information: Student

Destroy no later than 9 months from date  
of arrest (GS-7 Item #115)

Attendance Records: Student

3 fiscal years (GS-7 Item #9)

Attendance Daily Reports/Student

3 fiscal years (GS-7 Item #9)

Bus Registration Slip/Seating Records/Student

Retain until end of school year (GS-7 Item #145)

Bus Routing Sheets/Schedule Reports

3 fiscal years (GS-7 Item #17)

Check-Out Sheet/Student

3 fiscal years (GS-7 Item #9)

Registration Forms

3 fiscal years (GS-7 Item #163)

Tardy Check-in Sheet/Student

3 fiscal years (GS-7 Item #9)

Transportation Change/Student

30 days after authorized alternate  
transportation completed (GS-7 Item #167)

### Bookkeeper

Audits: Internal

5 fiscal years after audit report release date (GS1-SL Item #73)

Audits: Supporting Documents

5 fiscal years after audit report release date (GS-1-SL Item #57)

Bank Statements: Reconciliation

5 fiscal years (GS1-SL Item #85)

Budget Amendments/Budget Records-Supporting

3 fiscal years (GS1-SL Item #88)

Cash Receipt Books

5 fiscal years (GS1-SL Item #365)

Copier Reports

Retain until obsolete (GS1-SL Item #42)

County Account PO's

5 fiscal years (GS1-SL Item #340)

Disbursement Records: Detail

5 fiscal years (GS1-SL Item #340)

Federal Impact Aide Survey

5 fiscal years (GS1-SL Item #137)

Field Trip Requisitions

5 fiscal years (GS1-SL Item #340)

Internal Account PO's

5 fiscal year. (GS1-SL Item #340)

Monies Collected Forms

5 fiscal years (GS1-SL item #365)

Out of County Travel Forms

5 fiscal years (GS1-SL Item #340)

P-Card Statements

5 fiscal years (GS1-SL Item #340)

Print Shop Orders

Retain until obsolete (GS1-SL Item #42)

Property Control

Retain until completion of the next physical inventory  
(GS1-SL Item #222)

Purchasing Records/Fundraising records

Retain until obsolete (GS1-SL Item #42)

Purchasing Requisitions

5 fiscal years (GS1-SL Item #340)

Receipt/Revenue Records: Detail

5 fiscal years (GS1-SL Item #365)

Sales Tax Report

5 fiscal years (GS1-SL Item #368)

Teacher LEAD Reports/Disbursement: Detail

5 fiscal years (GS1-SL Item #340)

Travel Records

5 fiscal years (GS1-SL Item #52)

### Secretary

Disciplinary Case Files

5 fiscal years after final action (GS1-SL Item #98)

Employment Applications - Solicited

4 anniversary years (GS1-SL Item #24)

Expulsion Records

5 fiscal years after final disposition (GS-7 Item #31)

Field Trip/Student Activity Authorizations

Retain until the end of the school year (GS-7 Item #37)

FTE

3 fiscal years provided applicable audits have been released  
(GS-7 Item #154)

Grant Files

5 fiscal years (GS1-SL Item #422)

IDEA Semi Annual Certifications

3 fiscal years (GS1-SL Item #253)

Payroll Records - supporting documents

5 fiscal years (GS1-SL Item #195)

Personnel Records -Supplemental Documentation- copies

5 fiscal years (GS1-SL Item #378)

Professional Development/Inservice

5 fiscal years (GS-7 Item #65)

School Recognition Fund Reports

5 fiscal years (GS1-SL Item #340)

Social Media Account Auth. Records

1 anniversary year after superseded or employee  
separates from employment (GS1-SL Item #411)





# Appendix C: Educational Records Request Form



8330 F5/page 1 of 2

The School Board of Brevard County, Florida  
2700 Judge Fran Jamieson Way, Viera, FL 32940

## EDUCATIONAL RECORDS REQUEST FORM

**DIRECTIONS:** Please use this form to request copies and/or review educational records pertaining to your child or if you are a student over the age of eighteen (18) years old.

Requester's Name: \_\_\_\_\_

Requester's Phone Number: \_\_\_\_\_

Requester's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Student's Name: \_\_\_\_\_ Student's Age: \_\_\_\_\_

Student's School: \_\_\_\_\_ Student's Grade: \_\_\_\_\_

### Check all that apply:

As the parent/legal guardian or legally authorized non-custodial parent/legal guardian of the above named child, I am requesting access to **review** and/or **obtain copies** my child's school records. My child is under the age of eighteen (18) years of old and presently enrolled in the above named school.

As a student, I am over the age of eighteen (18) years old and I am requesting access to **review** and/or **obtain a copy** my school records.

**Copies of Records**. I am requesting a **copy** of the following record(s). (Please specify): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Reviewing Records**. I want to **review** the following record(s). (Please specify): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I understand I will be contacted with further information as to when I may view these records. I further understand that I am not allowed to remove or photograph any record(s) from the office where they are maintained when I view such records. I also understand if I requested copies of these records, the copies will be provided to me at cost, per F.S. §119.07.

\_\_\_\_\_  
Signature of Requester

\_\_\_\_\_  
Date



# Appendix E: Breach of PII Sample Letter

## Brevard Elementary School

123 Main Street  
Brevard, FL 00000



Dear *<Insert Name Here>*

Pursuant to Section 501.171, Florida Statute, The School Board of Brevard County, Florida, known as Brevard Public Schools (BPS), is notifying you about a potential breach of your personally identifiable information (PII). Specifically, *<Insert brief statement of how the data breach came to the attention of BPS here including the date, estimated date or estimated date range of the breach of security>*. Unfortunately, the document containing the PII involved *<Insert a description of the personal information that was accessed or reasonably believed to have been accessed as a part of the breach of security (Required by section 501.171 (4) €, Florida statutes; if desired for transparency purposed, add specific estimated number of students affected here and any other details>*. At this time, BPS has no indication of misuse of any of this PII.

You have been identified as one of the students who may be affected. The details of the breach and the actions taken by BPS to minimize the possible misuse of your PII are as follows:

1. On *<insert date here>*, BPS was notified *<insert means of notification method here>*
2. An investigation was launched immediately by BPS's Information Technology Services Department
3. The investigation confirmed *<enter findings here>*.
4. On *<insert date here>*, BPS promptly removed the report from the web location and same is no longer publicly accessible. *<Other pertinent actions can be added here>*
5. On *<insert date here>*, BPS notified Google to remove the cache from its sites and cache has been removed. *<Other pertinent actions may be added here>*.

BPS appreciates the seriousness of this matter and apologizes for an inconvenience caused by this incident. BPS is committed to protecting its students' records and continues to take measures to avoid the occurrence of such incidents.

As a precautionary and preventive measure, BPS has included below the options you can take to safeguard your identity and financial information. In addition, BPS will provide you with fraud resolution services from our contractor at your request. If you come to suspect that your identity may have been used or stolen, a personal fraud specialist will work with you one-on-one to help you resolve any issues. BPS will offer these fraud resolution services for one full year from the date of this letter. For additional information about these services, please call *<insert information that the individual can use to contact the covered entity to inquire about the breach of security and the personal information that the covered entity maintained about the individual here (required by section 501.171 (4)€, Florida Statutes. This is likely Risk Management>*.

We apologize for any inconvenience this may have caused. Please feel free to contact us with any further questions.

Sincerely,  
*<Insert Name and Department Here>*



# Appendix F: Request for Public Records of BPS



**Brevard Public Schools**  
 Govt. and Community Relations  
 2700 Judge Fran Jamieson Way  
 Viera, FL 32940

Telephone: 321-633-1000 ext. 11453  
 FAX: 321-633-3620  
 Email:  
 RecordsRequest@BrevardSchools.org

## Request for Public Records of Brevard Public Schools

### REQUESTOR INFORMATION (PLEASE TYPE OR PRINT)

\_\_\_\_\_  
 Today's Date

\_\_\_\_\_  
 Name (Last, First, Middle Initial)

\_\_\_\_\_  
 Company Name (If Applicable)

\_\_\_\_\_  
 Street Address

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

\_\_\_\_\_  
 ZIP Code

\_\_\_\_\_  
 Primary Phone Number

\_\_\_\_\_  
 Other Phone Number

\_\_\_\_\_  
 E-mail address

**Description of Records Requested:** To expedite the retrieval of records, please be as specific as possible as to the public records you desire. Attach a second page if necessary. *[Note: Under public records law, the district is not obliged to create a new document or record in response to a request for public records.]*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**To assist us with processing your request, please check one of the following:**

<input type="checkbox"/> Personal Use	<input type="checkbox"/> Commercial Use	<input type="checkbox"/> Legal
<input type="checkbox"/> Media	<input type="checkbox"/> Higher Education	<input type="checkbox"/> Union

If you checked Commercial Use, please state the purpose: \_\_\_\_\_

**Delivery Method (check one):**

<input type="checkbox"/> Email	<input type="checkbox"/> US Mail	<input type="checkbox"/> Pick Up
<input type="checkbox"/> Review Record in Person		

**Format (check as applicable)**

<input type="checkbox"/> Electronic	<input type="checkbox"/> DVD/CD	<input type="checkbox"/> Duplicated copies
-------------------------------------	---------------------------------	--

Fees for the cost of reproducing public records will be assessed as follows:			
\$0.15-Single Side Copy	\$0.20-Double Side Copy	\$5.00 – DVD/CD	\$1.00-Certified Copy
The actual cost of duplication will be collected for copies of district public records in a form other than a duplicated copy (includes reproduction of maps).			
The actual labor cost of the personnel providing the service will be collected as permitted by State law if it requires more than fifteen minutes of clerical or supervisory assistance by District personnel including redaction services.			
A special service charge attributable to the extensive use of information technology resources and/or labor cost of the personnel providing the service as permitted by State law.			

**Requestor Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

If the form is being sent electronically, then typed initials are acceptable in place of signature.

**Initial box if sending via email**

**\*\*PLEASE NOTE:** Not all completed public records are in a digitized format. To receive a digitized version of a redacted record may require additional time and resources, resulting in additional expense. \*\*



# Appendix G: SB Policy 8310 Public Records

The Board recognizes its responsibility to maintain the public records of this District and to make such records available for inspection and reproduction.

## Exemptions from Public Records

“Public Records” are defined in State statutes; however, “public records” do not include student records, medical records, document containing genetic information, trial preparation records, confidential law enforcement investigatory records, records of release of which is prohibited by State or Federal law, and any other exceptions set forth in Florida law. Confidential law enforcement investigatory records, medical records, and trial preparation records are as defined in Florida law.

Personally identifiable information of a dependent child of a current or former officer or employee of the School District, who is insured by a group insurance plan provided by the District, is exempt from public records requirements as set forth in the State Constitution and State statutes. This exemption applies to all personally identifiable information held by the District.

The identity of a school or postsecondary educational institution, the personally identifiable information of any District personnel, or any specific allegations of misconduct obtained or reported pursuant to an investigation of a testing impropriety conducted by the Department of Education are confidential and exempt from the constitutional public records provisions until the conclusion of the investigation or until such time as the investigation ceases to be active.

## Access to Public Records

Pursuant to State law, the Superintendent shall appoint a Records Management Liaison Officer (RMLO), who shall serve as the primary point of contact between the District and the Division of Library and Information Services of the Florida Department of State, which is the agency responsible for the State’s records management program. The Superintendent may also appoint a Custodian of Records for the District who shall be responsible for implementing the requirements in State law and the State’s records management program regarding the public records maintained by the District.

Any individual may inspect and request copies of public records of this District during the regular business hours of the office in which such records are maintained. The Superintendent and/or Custodian of Records is authorized to grant or refuse access to the records of this District in accordance with the intent of this policy and applicable law.

Pursuant to State law, every person who has custody of a public record shall permit the record to be inspected and

copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision of the custodian of public records.

A District employee who has custody of public records may designate another District employee to permit the inspection and copying of public records, but must disclose the identity of the designee to the person requesting to inspect or copy the public records.

A custodian of public records and/or his/her designee must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other officers or employees of the School District whether such a record exists, and, if so, the location at which the record can be accessed. Upon determination that the requested record exists, it must be reviewed to determine whether it contains any information that would be statutorily exempt from public inspection or copying as provided by law. See Policy 8350 – Confidentiality.

Duplicated copies or certified copies of the District’s public records shall be provided upon payment of the appropriate fee set forth in the Florida statutes. If the nature or volume of the public records requested will require extensive use of information technology resources or more than fifteen (15) minutes of clerical or supervisory assistance by District personnel, a special service charge attributable to the extensive use of the information technology resources and/or the labor cost of the personnel providing the service will be collected as permitted by State law.

In addition, the actual cost of duplication will be collected for copies of the District’s public records in a form other than a duplicated copy. The special service charge will also be collected if the requested copies of the public records in a form other than duplicated copy will require extensive use of information technology resources or more than fifteen (15) minutes of clerical or supervisory assistance by District personnel as permitted by State law.

If the request for copies of a public record in any form could result in the collection of a special service charge, an estimate of the fee that will be due and payable shall be provided to the requestor. The duplication of the requested records will commence upon payment of the estimated fee by the requestor.

No public record may be removed from the office in which it is maintained, except by a Board employee in the course of the performance of his/her duties.

All District records will be maintained in accordance with general records schedules GS1-SL and GS7, as established by the Department of State.

# Appendix H: SB Policy 8330 Student Records

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

## 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 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 this policy. Each student's cumulative record shall include the following types of data:

### A. Category A Records, Permanent Information

1. Student's full legal name.
2. Authenticated birth date, place of birth, race, ethnicity and sex.
3. Last known address of the student.
4. Name(s) of the student's parent(s) or guardian(s).
5. Name and location of last school attended.
6. Number of days present and absent, date enrolled, date withdrawn.
7. Courses taken and record of achievement, such as grades, credits, or certification of competence.
8. Date of graduation or date of program completion.
9. Records of requests for access to and disclosure of personally identifiable information from the student's educational records.

### B. Category B Records, Temporary Information

1. 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.
2. Reports of student services or exceptional student staffing committees including all information required by F.S. 1001.42.
3. Correspondence from community agencies or private professionals.

4. Driver education certificate.
5. A list of schools attended.
6. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records.
7. Written requests to waive access to confidential records.
8. Written requests to restrict the release of directory information.
9. Court orders of relevance.
10. Records of major student discipline actions, suspension, and/or expulsion records.
11. Home language survey.
12. Student Limited English Proficiency (LEP) Plans.
13. Such other records of educational importance as the school shall deem necessary.
14. 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.

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). 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.

# Records Management

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





# Appendix J: SB Policy 8350 Confidentiality

It is the policy of the Board that when the District receives in trust from a public agency information identified as confidential (whether such information is confidential by Florida law, Common Law Privilege, Case Law, or Federal Law), the District will maintain the confidentiality of said information to the maximum extent permitted by the law.

State and Federal law requires that student education and health records (see Policy 8330) be confidential and exempts certain information and records from public disclosure (see Policy 8310). As such, the Board is obligated to take appropriate steps to maintain certain information and records as confidential. Individuals who have access to student education records may not remove them from Board property without express permission from their building principal or supervisor. An individual authorized to remove student education records from school property is responsible for the safety and security of the records and for returning them to the District intact. Confidential information and records shall not be disclosed except as authorized by Board policy and procedures. Individuals who have access to confidential information and records while employed by the Board are reminded that their legal obligation to maintain such confidences extends beyond their term of employment in the District and they are prohibited from releasing, disclosing, or otherwise disseminating confidential information or records subsequent to leaving the Board's employ. The Board directs the Superintendent to include procedures concerning Board employees' duties to maintain certain information and records as confidential in the administrative procedures that are promulgated to implement this policy.

Further, it is the policy of the Board that neither the Board nor its employees shall permit the release of the social security number of an employee, student, or other individual except in accordance with State law. Access to documents containing social security numbers shall be restricted to only those employees who have a need to know such information.

If a document containing social security numbers is to be released in compliance with a public records request made pursuant to Policy 8310, the social security number shall be redacted before the document is provided to the requestor.

If an employee is approached and asked to provide confidential information and/or a social security number from a file or record maintained by the District, the employee shall refuse to release the

requested information, and shall notify his/her immediate supervisor as soon as practicable.

In order to prohibit the unauthorized disclosure of information identified as confidential by a sending public agency and/or social security numbers, the Board may seek to obtain court protection as follows:

- A.** by denying requests for the release of such information absent a subpoena or court order; or
- B.** by pursuing motions to quash or protective orders to prohibit unauthorized/unlawful disclosure of such information.

If possible, the Board will attempt to notify the sending public agency of the request for the release of confidential information that it provided to the District before complying with the request.

Employees who intentionally violate this policy shall be subject to discipline, up to and including termination.

Accordingly, the Superintendent shall provide all staff with access to this policy. In addition, the Superintendent shall take the steps necessary so that staff who have access to files and records that contain confidential information and/or social security numbers are made aware of their responsibility to see that such information is released only in accordance with State law and this policy, as well as the consequences if they fail in that regard.

The Board directs the Superintendent to develop administrative procedures necessary to implement this policy.

## Limited Use of Social Security Numbers and Other Personally Identifiable Information

The District recognizes the need to safeguard privacy and restrict access to personally identifiable information contained in employee and student personnel records collected in the course of the District's business. Access to documents containing social security numbers shall be restricted to only those District employees who have a need to know such information. Access to social security numbers and other personal identifiable information concerning employees and students will only be provided as required by State and Federal law.

Effective October 1, 2002, all social security numbers held by the District are confidential and exempt from F.S. 119.071, and Section 24(a), Article I of the State Constitution. This exemption applies to all social security numbers held by the District before, on, or after the effective date of this exemption.

## **CONFIDENTIALITY** continued

The District shall only collect social security numbers in order to fulfill its responsibilities as prescribed by law. Social security numbers collected by the District shall be segregated on a separate page from the rest of the record, or as otherwise appropriate, in order that it is easily redacted, if required, pursuant to a public records request.

If an employee is asked to provide confidential information and/or a social security number from a file or record maintained by the District, the employee shall refuse to release the requested information, and shall notify his/her immediate supervisor of such request as soon as practicable.

If a document containing social security numbers is to be released in compliance with a public records request, the social security numbers shall be redacted before the information is provided to the requestor.

The District, upon the collection of an individual's social security number, and upon the individual's request, shall provide that person with a statement of

the purpose or purposes for which the social security number is being collected and used. Social security numbers shall not be used by the District for any purpose other than the purpose stated.

Social security numbers may be disclosed to another governmental entity or its agents or employees if disclosure is necessary for that agency to perform its duties and responsibilities. The District shall inform the receiving agency in writing of its obligation to maintain the confidential and exempt status of such information.



# Appendix K: Sample Withdrawal Checklist

## Elementary School Withdrawal Checklist “Sample”

Student Name: \_\_\_\_\_

Grade: \_\_\_\_\_

Teacher Name: \_\_\_\_\_

Withdrawal Date: \_\_\_\_\_

Destination: \_\_\_\_\_

Please check to see that the following items in the cumulative folder are in the correct order and completed. When you have completed the folder, please return to \_\_\_\_\_ **promptly within twenty-four hours of withdrawal.**

Check off as you verify that the information is in the cumulative folder:

- Completed yellow cumulative folder checklist.
- All assessments are inputted in Performance Matters (PM).
- Interim Report and/or Report Card (if a student has attended 15 days or more days in the nine week period a Report Card must be completed depending on the grade reporting posting window in FOCUS).
- Complete Blue Card with student picture—record all information in **PENCIL**.
- Record student information and elementary school information.
- Record teacher’s full name, not initials.
- Record yearly average grades for each subject area. Student’s performing below grade level and receiving a grade above a C, are to be marked with an asterisk (\*) next to the letter grade.
- Record Attendance.

The student was enrolled in:

- ESE (Audit File)
- GSP (EP File)

My signature below indicates that the Cumulative Folder is complete.

\_\_\_\_\_  
Teacher

\_\_\_\_\_  
Assistant Principal

# Appendix L: Sample New Student Cumulative/ Audit File Routing Form

## Brevard Elementary School New Student Cumulative Folder/Audit File Routing Form

Student \_\_\_\_\_ Homeroom Teacher \_\_\_\_\_

When the designated staff have reviewed the CUMULATIVE FOLDER and/or AUDIT, initial and date. Route the file to the next person on the list. When the last person has completed review, please return to the Office Clerk.

Office Clerk \_\_\_\_\_ Date \_\_\_\_\_

If Exceptional Student Education (ESE) records are found, forward to ESE case manager first.

Case Manager \_\_\_\_\_ Date \_\_\_\_\_

Speech/Language \_\_\_\_\_ Date \_\_\_\_\_

Teacher \_\_\_\_\_ Date \_\_\_\_\_

School Counselor \_\_\_\_\_ Date \_\_\_\_\_

ELL \_\_\_\_\_ Date \_\_\_\_\_

The ESE Case Manager reviews the AUDIT FOLDER and documents below that the following ESE forms are found.

### Elementary

- Current IEP
- Current Eligibility(s)
- Initial Consent for Placement into ESE

**If any documents are missing from the audit file, the case manager is responsible for locating or recreating.**





# WE'VE GOT YOU COVERED



Ask About Our  
Promo Offers!



Savings · Debit/Checking · Youth Accounts · Student Debit  
Auto Loans · Mortgage & Home Equity Loans · Credit Cards  
Personal Loans · Convenient eServices · Early Payday

321.690.2328 · [ccuFlorida.org](http://ccuFlorida.org)

**Community**  
credit union

FLORIDA

A member-owned cooperative.

Membership share account with a one-time fee of \$5 is required. Membership is available to Brevard, Orange, Osceola, Indian River, Volusia, & Polk County residents. Federally insured by NCUA. Equal Housing Opportunity.