

**School District
of
Okeechobee County**



Student Education Records Manual

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Approved by School Board

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Student Education Records Manual

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Student Education Records Manual

I. Maintenance of Student Records

The Okeechobee County School District shall initiate and maintain a cumulative record folder for each student attending its schools. The cumulative record folder shall contain all written records directly related to a student that are kept by the school unit except:

- A. Records kept by teachers, counselors, or supervisory or administrative personnel that are in the sole possession of the maker and are not revealed to another person except a substitute;
- B. Employment records of a student employee, if those records are made and maintained in the normal course of business, relate exclusively to the student in his or her capacity as an employee, and are not made available for any other use;
- C. Records kept by a law enforcement unit of the District, if:
 - 1. The law enforcement unit does not have access to education records maintained by the District, and
 - 2. The law enforcement records are:
 - a. Maintained separately from education records;
 - b. Maintained solely for law enforcement purposes; and
 - c. Disclosed only to law enforcement officials of the same jurisdiction.
- D. All records, record requests, and other student specific information are confidential.

Custodians of records may not release information to any non-educational institution or person, including family members or friends, other than the parents/guardians and eligible student without a release signed by the parents/guardians or eligible student for each specific release of information. Please refer to FERPA guidelines in Appendix A.

II. Custody of Student Cumulative Record Folders

- A. Cumulative record folders of students actively enrolled in a school shall be kept in a secure location at the school in which the student is actively enrolled.
- B. If a student no longer attends a school within the District, the cumulative record folder shall be kept at the last school site of attendance.
- C. The principal of each school is responsible for maintaining the cumulative record folders of students attending summer school; administrators are also responsible for the privacy and security of student records within their custody.

III. Location of Student Records: Custodian of Records

Facility	Address	Custodian
Okeechobee High School	2800 Highway 441 N	Principal
Okeechobee Freshman Campus	610 SW 2 nd Avenue	Principal
Osceola Middle School	825 SW 28 th Street	Principal
Yearling Middle School	925 NW 23 rd Lane	Principal
Central Elementary School	610 SW 5 th Avenue	Principal
Everglades Elementary School	3725 SE 8 th Street	Principal
North Elementary School	3000 NW 10 th Terrace	Principal
Seminole Elementary School	2690 NW 42 nd Avenue	Principal
South Elementary School	2468 SW 7 th Avenue	Principal
Okeechobee Achievement Academy	1000 NW 34 th Street	Principal

IV. Classification of Information Maintained as Student Records

Information maintained by the District in student education records shall be classified as follows:

A. Category A – Permanent Information

This category includes verified information of clear educational importance that the District shall retain indefinitely. The following information shall be maintained and kept current for each District student on the appropriate form approved by the Florida Department of Education: Category A information shall be retained permanently in a manner prescribed by Section 1006.52(2) F.S.

1. Student's full legal name and any known properly documented change
2. Authenticated birthdate, place of birth, race, and sex
3. Last known address of student or student's parent or legal guardian
4. Names of student's parent(s) or legal 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, units, or certification of competence
8. Date of graduation or date of program completion
9. Record of requests for access to and disclosure of personally identifiable information from the education records of the student as required by FERPA

B. Category B – Temporary Information

This category includes verified information of clear educational importance that is subject to change. The Superintendent shall establish procedures to assure accuracy of information maintained and to provide for periodic review and elimination of the information no longer useful in a manner as prescribed by Section 1001.52(3) F.S. **Category B information may be destroyed five (5) years after the student or his or her class graduates.** These records may include, but are not limited to:

1. Health information and health care plans
2. Family background data
3. Standardized test scores
4. Educational and career plans
5. Honors and activities
6. Work experience reports
7. Teacher/counselor comments
8. Reports of Student Services or Exceptional Student Staffing Committees including all information required by Section 1001.42(13) F.S.
9. Correspondence from community agencies or private professionals.
10. Driver Education certificate
11. List of schools attended
12. Written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records
13. Records designated for retention by the Florida Department of State in General Records Schedule GS7 (Appendix B)

V. **Family Educational Rights and Privacy Act (FERPA)**

FERPA affords rights of Parents and Eligible Students to Review and Inspect Student Records

- A. **Persons Entitled to Inspect** – Those who have the right to inspect and review the cumulative record folders kept about the student include parents of students who are under 18 years of age, and students who have attained 18 years of age (hereafter called eligible students).
- B. **Procedure to Inspect Student Records** – Parents or eligible students, who wish to inspect and review the cumulative record folder of a particular student, shall submit a request in writing to the principal for review of that student's record. The principal shall schedule the review as early as possible but never later than 30 days after the request was made. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
 - 1. A school official competent in interpreting student records shall be present to explain the student's records. After the inspection, the parents or eligible students may request copies of the records.
 - 2. Parents or students who live outside Okeechobee County may request copies of the records. The copies shall be sent by registered mail, return receipt requested.
 - 3. The fee for copies of records is \$.15 per copied page, plus postage if mailed. If the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's education records, the fee will be waived. No fee may be charged parents or eligible students to retrieve or search for the education records of a student (119.07, F.S).

Parents and eligible students have the right to challenge the content of records in the student's cumulative record folder.

VI. **Procedure to Correct Inaccuracies in Student Records**

- A. **Informal Meeting** – Any challenge to the student's cumulative record folder may be settled through informal meetings or discussions between the parent, guardian, pupil or eligible student and appropriate officials of the educational institution.
- B. **Written Request** – A parent or student who believes that information contained in the student's cumulative record folder is inaccurate or misleading or otherwise violates the student's right, may request, in writing, that the records be amended by the principal of the school where the records are kept. In writing, the part of the record the parent or eligible students requests to have amended or changed must be clearly identified and the reason for the changes specified.
 - 1. If the principal finds the challenge is not justified, the principal shall inform the person who made the request of this decision and shall also inform that person of his right to appeal.
 - 2. If the parties at such a meeting agree to make corrections, deletions, expunctions, or add an explanatory or rebuttal statement to the file, such agreement shall be reduced to writing and signed by the parties; the appropriate school officials shall take the necessary actions to implement the agreement.
- C. **Impartial Hearing** – A parent or eligible student who disagrees with the decision of the principal may request an impartial hearing.
 - 1. The request shall be made in writing to the Director of Student Services naming the record to be reviewed and the information in question.

2. The Director of Student Services shall schedule a hearing within 10 days after receiving the request. The parent or eligible student shall be given at least two school days advanced written notice of the hearing. The hearing notice shall contain the date, time, location and the name of the hearing officer.
3. The hearing shall be conducted, and the decision rendered, by a hearing officer who is an official of the District or other party who does not have a direct interest in the outcome of the hearing.
4. The complainant may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
5. The hearing will be informal with the ground rules established by the hearing officer.
6. The hearing officer shall make a decision, in writing, to the parent or eligible student within a five (5) day period after the conclusion of the hearing, and the decision of the hearing officer shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.
 - a. If the decision is that the information is inaccurate and/or misleading or false and the record is to be corrected, the custodian of records will enter into an agreement that shall be reduced to writing, and signed and dated by the eligible student or the parent(s) or guardian(s) of the pupil and designated school officials. The agreement shall only indicate that the record has been corrected, deleted, or expunged.
 - b. If the decision is that the information is accurate, not misleading nor in violation of the student's rights, the school shall inform the complainant of his or her right to place in the education record a statement commenting on the information in the educational record or setting forth any reasons for disagreeing with the decision.

VII. Disclosure to Persons Other than Parents or Students

All records released will be copies of the original student records/file. No original records will be surrendered. Original records must be maintained pursuant to Section 10(g) of this document.

- A. **Persons Authorized to Have Access** – Schools may, without the consent of either the student(s) or their parent(s), disclose information kept in the student's cumulative record folder to the following persons or organizations:
 1. School officials who have legitimate educational interest in examining the information. School officials are employees of the School Board who have the legal, professional, and assigned responsibility to initiate, maintain, and disseminate student records and data. These officials are:
 - a. The District School Board, sitting as a corporate body;
 - b. The District Superintendent;
 - c. District Administrative Personnel;
 - d. The Instructional Staff of a School;
 - e. The Clerical Staff of a school or department assigned the duties of student record keeping by the principal, department administrator and/or superintendent.

The principal of the school where the records are kept determines whether a school official is seeking the information to carry out their official duty and whether the specific information sought will help in carrying out that duty. The principal and department administrator will have on file a list of personnel, by name, which has legitimate access to student records.

2. Officials of schools, school systems, area vocational technical centers, community colleges, or institutions of higher learning in which the student seeks to enroll; and a copy of such records or reports shall be furnished to the parent, guardian, pupil, or student upon request.
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 U.S. Department of Education, or in applicable state statutes and rules of the State Board of Education.
4. Other school officials, in connection with a pupil's or student's application for, or receipt of, financial 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 such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and if such information will be destroyed when no longer needed for the purpose of conducting such studies.
6. Accrediting organizations, in order to carry out their accrediting functions.
7. For use as evidence in student expulsion hearings conducted by a District school board pursuant to the provisions of Chapter 120, Florida Statutes.
8. 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. Criteria for determining the existence of emergencies involving health or safety shall include, but are not limited to, the following:
 - a. The seriousness of the threat of the health or safety of the student or other individuals;
 - b. The need for the information to meet the emergency;
 - c. Whether the parties to whom the information is disclosed are in a position to deal with the emergency; and;
 - d. The extent to which time is of the essence in dealing with the emergency.
9. The Auditor General in connection with the official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General shall be protected in such a way as will not permit the personal identification of students and their parents by other than the Auditor General and his staff, and such personally identifiable data shall be destroyed when no longer needed for the Auditor General's official use.
10. Designated representatives from local health unit responsible for carrying out duties required by state law.
11. A court of competent jurisdiction in compliance with an order of that court of the attorney of record pursuant to a lawfully issued subpoena, upon the condition that both the student and parent are notified of the order or subpoena in advance of releasing the records.

12. Credit bureaus in connections with an agreement for financial aid which the student has executed, provided that such information may be 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 pursuant to this paragraph to any person.
13. Parties to an interagency agreement among the formerly Department of Health and Rehabilitative Services; however, presently Department of Children and Families, 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, in-school and out-of-school suspensions, 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, suspension, and expulsions and which 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, guardian or other responsible adult on behalf of the juvenile.

B. Interstate Compact on Educational Opportunity for Military Children

The Interstate Compact on Educational Opportunity for Military Children removes barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents. The sending school is required to prepare and furnish to parent, at a minimum, a complete set of unofficial education records. The receiving school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records. Records must be provided by the sending state/school within 10 days of a request for such records by the receiving state/school. See the Student Progression Plan for more information regarding enrollment and placement procedures.

C. McKinney-Vento Act

Students identified as homeless under the McKinney-Vento Act have the right to enroll in school immediately, even if lacking documentation normally required. The local liaison must assist the student in acquiring any required immunizations or medical records and the student must be enrolled in the interim.

D. Directory Information

If directory information is published for release to the public in general, school administrators may disclose directory information about a student without the consent of either the student or his or her parents(s) unless, within thirty (30) days after enrolling or beginning school, the student or parent notifies the school in writing that any or all directory information should not be released. Directory information includes the student's name, address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of officially recognized activities and sports, dates of attendance, degrees, honors, and awards received, student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access educational records without a PIN or password, and the most recent previous school attended by the student.

E. Parental or Student Consent

Whenever written consent is required, school officials shall presume that the eligible student or the parent(s) or guardian(s) of the pupil, as appropriate, giving consent has the authority to do so unless the District has been provided with evidence to the contrary. If the student is not yet 18, one of his or her parents must consent to the release. If the student is 18 or older, the student must consent to the release. The consent must be signed and dated and must specify the records to be disclosed, the purpose for the disclosure, and the person(s) or class of person(s) to whom the disclosure may be made. Upon request, the school shall supply a copy of records released to the parent or the student who gave the consent. If parents give consent for a student, they may request that a copy of the records released be given to the student, even though the student is not yet 18.

F. Inspection Log

The administrator shall maintain, in each cumulative record folder for which he/she is responsible, a cumulative record inspection log. The inspection log shall include the name and reason for inspection of each person who requests access to the cumulative record folder, but shall not include disclosures to the parent(s), the student, school officials, or persons who have student or parental consent or disclosures of directory information. The inspection log may be inspected by the student's parent(s) or the eligible student.

VIII. Waiver of Rights

Parents of a student or an eligible student may waive any of their rights under this policy. A waiver of rights must be in writing, signed by the parent or the eligible student, and must specify the rights to be waived. A waiver is effective until revoked in writing. If a parent executes a waiver, the student may revoke it when he or she becomes 18.

IX. Annual Notice to Parents and Students

At the beginning of each school year, the Superintendent or designee shall provide written notice to all parents of students currently attending District schools and to all eligible students currently attending District schools advising parents and students of their rights relating to student education records (FERPA) (1002.22(2), F.S. Such notice shall be in substantially the form provided in Appendix A. The Superintendent shall develop alternative methods of notice for informing the parents or guardians of students and eligible students who are unable to comprehend a written notice in English. (See Appendix A)

X. District Administrative Rules for Student Records

A. Administrative Responsibility for Student Records

1. The Superintendent or designee shall be the custodian of all student records maintained at the District level.
2. The principal will assume administrative responsibility, for all records and reports required regarding students currently enrolled in that school.
3. The Superintendent or principal shall make maximum provision for protection of records from review by unauthorized personnel and for maximum physical security of such records.
4. The Superintendent or designee and principal are responsible for classifying the records and maintaining them so that each record can be clearly identified by classification, for reviewing the files and deleting information in accordance with state statutes and local policies, and for granting or denying access to records on the basis of the policies or procedures set forth in federal and state statutes and regulations and this policy.

5. The principal shall ensure that the school staff under his or her jurisdiction receives instructions and training regarding the privacy rights of parents and students. The procedures for the initiation, collection, maintenance, accessibility, dissemination, and retention of student information shall be reviewed periodically for the staff by the principal.
6. The Superintendent or designee and principal have the responsibility of keeping the parent community informed of the policies and procedures relating to student records.

B. Handling Requests for Student Information

1. Telephone Requests – Requests for information via the telephone shall not be honored.
2. Written Requests – Written requests for information shall be honored under the following conditions:
 - a. The inquirer is properly identified.
 - b. The purpose of the request is clearly stated.
 - c. The type of information required is exactly stated.
 - d. Prior written consent is given by the parent except in cases exempt under governing statutes and regulations.
3. Personal Requests – Upon presentation of proper identification, a request for information via personal visit shall be honored during regular school or District office hours under the following conditions:
 - a. The inquirer is properly identified.
 - b. The purpose of the request is clearly stated.
 - c. The type of information required is exactly stated.
 - d. Prior written consent is given by the parent except in cases exempt under governing statutes and regulations.
 - e. A District staff member shall be present during the entire in-person visit and be available to interpret the data for the visitor.
 - f. A record of the visit is made.
4. Subpoena Requests – Upon receipt of a subpoena for student records, deliver the subpoena and all student records (CUM, attendance folder, ESE audit file, ELL file, discipline folder, etc.) to the Student Services office. The records will be copied and sent to fulfill the subpoena and the files will be returned to your school through the established records transfer system.

C. Withholding Information Pending Verification

In the course of processing a request for information, a reasonable doubt on any aspect of the request or concern about the authorization to process the request shall be deemed sufficient reason for the staff member to act in a prudent manner and to withhold all or part of the information until such time as the authorization is verified.

D. Transfer of Student Records within the District

1. Records of students who withdraw from one school in the District, during the school year, and enroll in another school in the District, are to be taken to the Student Services Office. The records will then be logged in and secured. An official from the receiving school will accept receipt of the records, sign the log and transport the records to the receiving school.

2. Cumulative records of students, who, because of promotion, must attend another school, are to be delivered to the receiving school no later than June 30 of each year. An alphabetical listing of students promoted shall accompany the records. The receiving school shall receipt the sending school as having received all records of students on the list. Discrepancies are to be settled between the schools involved. The sending school shall review each individual CUM record to verify that all records required are included, to remove any records that should not be included in a cumulative file, and to organize the file in the District CUM order. This information is available in the Student Services Office. The receiving school shall review each individual cumulative file to become familiar with the specific needs and circumstances of each student. Any medical, psychological, or family issues shall be reviewed by the guidance counselor and appropriate follow-up procedures shall be implemented to meet the needs of each student.
3. Records of student planning to attend summer school are to be sent to the appropriate summer school center. Schools having summer sessions are responsible for transferring a student's record to the proper school the student will be attending in the fall. Receipts for records transferred shall be signed and returned to sending school by the receiving school.

E. Transfer of Student Records to Another Institution

1. Upon request of officials of educational institutions for transfer of a student's records, school officials shall make a reasonable attempt to notify the parent(s) or guardian(s) of the student, at the last known address of the parent(s) or guardian(s), of the transfer of the records. This notice shall not be necessary if the parent(s) or guardian(s) of the student initiates the transfer request. With respect to adult students the District shall forward education records on request to a school in which the adult student seeks or intends to enroll without notification to the student.
2. The transfer of records shall be made immediately upon written request of an adult student, a parent or guardian of a student, or a receiving school. The principal or designee shall transfer a copy of all Category A and Category B information and shall send a copy of the information to the requesting school; however, student records that are required for audit purposes shall be maintained in the District for the required time periods.
3. The transfer of adult student education records shall not be delayed for nonpayment of a fee or fine assessed by the school.

F. Destruction of Records

After complying with provisions of Section 257.36-37, Florida Statutes, the Superintendent is authorized to destroy general correspondence that is over three years old that do not serve as part of an agreement or understanding nor have any value as permanent records. District procedure is to maintain all records related to student health, discipline, or academic programs that are not covered in Category A or B for a minimum of three years. Health, discipline, bullying reports, and other student specific documents should be held beyond the three years if there is a reasonable belief that the information may be required by the student, the parents, the school, or other authorities.

G. Permanent Records to be Maintained

1. Category A – Records that may not be destroyed include:

Student's full legal name, authenticated birthdates, place of birth, race, ethnicity and sex, last known address, names of the student's parents or guardians, name and location of last school attended, number of days present and absent, date enrolled and date withdrawn, courses taken and record of achievement, such as grades, units, or certification, date of graduation or date of program completion, records of requests for access to and disclosure of personally identifiable information from the educational records of the student as required by FERPA.

2. Category B – Records may be destroyed 5 years after the graduation of the student or his scheduled graduation date, whichever is later. Those records include:

Health information and health care plans, family background data, standardized test scores, educational and career plans, honors, and activities, work experience reports, teacher comments, reports of student services or exceptional student staffing committees including all information required by Section 1001.42(13), F.S., correspondence from community agencies or private professionals, driver education certificate, list of schools attended, written agreements of corrections, deletions or expunctions as a result of meetings or hearings to amend educational records, and records designated for retention by the Florida Department of State in General Records Schedule GS & for Public Schools pre-K-12, Adult and Vocational/Technical.

XI. Commonly Asked Questions

A. What if a non-custodial parent wants to see their child's records? How is this handled?

The school district shall presume that the parent has the right to inspect and review the educational records of the student unless the school has been provided with evidence that there is a legally binding instrument or court order governing such matters as divorce, separation or custody which states the non-custodial parent does not have the right to inspect records. The custodial parent cannot direct the school to deny access to records without legal documentation.

B. Can a parent request that their child's name be changed on school records?

If there was an error in recording the child's name at the time of enrollment, the school may change the name to match the name on the original, certified birth certificate at the parent's written request. Name changes do occur frequently throughout the county. Name changes may be reflected on school records only after a court document authorizing the name change is placed in the student's CUM folder. The court document will state a date that the name change becomes legal. Records from that date forward should reflect the new name. Prior records may not be changed unless the court order specifically directs agencies to do so. Without a specific court order requiring previous records be changed, no school employee has the legal authority to change or delete the contents of a CUM record. To do so would be falsifying records which could lead to disciplinary action, termination or even arrest.

C. What steps should be taken when a school employee is accessing inappropriate student records?

Every student shall have the right to privacy with respect to the educational records kept. Personally identifiable records or reports of a student, and any personal information may only be released to school officials, including teachers within the educational institution who have legitimate educational interests in the information contained in the records. (Florida Statutes Chapter 1002.22) Access to student records by an individual who has no educational purpose for reviewing those records is a violation of F.S. 1002.22.

- D. **If I receive updated information that is already in a student's CUM folder, can I replace the initial copy with the updated copy or do I need to keep both copies in the CUM folder?**

Most items in the CUM folder are unique. However, if have a new document that has all the information on the original, plus new information, you may "replace" the original document with the new document. You are not purging the record; you are updating the student's record. If in doubt, keep all documents together.

- E. **Should I put any paperwork I believe is important in the CUM for safe keeping?**

No, any item placed into the CUM folder becomes a part of the student's record and may not be purged unless there is a parent or student challenge that is upheld. Materials that shall be considered as part of a student's record include, but are not limited to: identifying data, including a student's social security number if supplied by the parent; coursework completed; level of achievement records, including grades and standardized achievement test scores; attendance data; scores on standardized intelligence, aptitude, and psychological tests, if applicable; health data; family background information; teacher or counselor ratings and observations with significant educational value; verified reports of serious or recurrent behavior patterns.

- F. **Are discipline records to be filed in the student's CUM folder?**

No, Student Discipline records are to be kept separate from the Student's CUM folder and never transferred from one school to another. Discipline records of major offenses are to be retained by the school for three years from the date of the offense. Discipline records of minor offenses are to be retained until their administrative value is lost. Typically this is through the end of the school year.

- G. **Is there an order that items should be filed in a student's CUM folder?**

Yes, the K-12 Cumulative Folder Guidelines should be used as an aid to organize the folders. The more organized a CUM folder is, the easier it is to find items and to provide the highest level of service to staff, students, and parents. A copy of the K-12 Cumulative Folder Guidelines form is located in Appendix B.

- H. **Is a withdrawal form required when a student withdraws to attend another Okeechobee County Public School?**

Yes, OCSB Form O-ST-93 is the official way to communicate grades "in progress" to assist the new school in class placement and averaging of course final grades at the conclusion of a grading period. A copy of this form is located in Appendix B.

- I. **May I release student records, discipline information, or other personally identifiable data to the Seminole Tribe Education Office?**

No, release of records to a third party is not allowed without an original signed form (O-EX-30). A master copy of Seminole Tribe members' release forms is maintained in the Student Services Office. A school that receives this request without an accompanying release form can check with Student Services to verify that the District has a release for the specific student or students. A copy of the release can be sent to the school for their records.

- J. **Can I release student information to a stepparent or grandparent (or other non-parent family member) of a student?**

No, stepparents, grandparents, aunts, uncles, and the like have no legal standing with regard to a student. The only persons who have the legal right to make decisions for a child or view records are the child's natural or adoptive parents (unless a court order has taken away a parent's rights). If the parent or legal guardian wishes to allow another person to assist in the rearing of a child, that parent may complete a "Share Information" form at the school site which will allow the person listed to discuss educational concerns and view records of the child.

K. Can I release student information to a Guardian Ad Litem?

A Guardian Ad Litem is a person appointed by the court to serve as liaison for minors involved in legal proceedings, generally a divorce or juvenile court matters. The Guardian Ad Litem may request to inspect and copy student records. The following steps must be taken:

- 1. Obtain a copy of the Ad Litem's order of appointment*
- 2. You must give written notice of the request to the student's parent or guardian. This notice is mandated by Federal and State law. If the Ad Litem has a signed parent consent with them make a copy of the consent form and you may release information on the spot.*

Unlawful Discrimination Prohibited

The School District of Okeechobee County has adopted Board Policy 6.43, Unlawful Discrimination Prohibited. No person shall, on the basis of race, color, religion, gender, age, national or ethnic origin, genetic information, political beliefs, marital status, sexual orientation, disability, if otherwise qualified, social and family background or on the basis of the use of a language other than English by LEP students, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.

The School District of Okeechobee County is in compliance with all federal and state laws which include the Title II of the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008 (ADAAA), Title IX, Section 504, Florida Education Equity Act, Age Discrimination in Employment Act (ADEA), Genetic Information Non-Discrimination Act of 2008 (GINA), and the Boy Scouts of America Equal Access Act.

Any employee, student, applicant for admissions, or applicant for employment who believes he/she has been discriminated against or has been harassed by another employee, student, or third party is encouraged to use the Equity Plan Grievance Procedure for filing complaints. You may file with: principal or immediate supervisor, District Equity Coordinator/Director of Human Resources or the Superintendent.

Director of Human Resources
Title II, Title IX and the Florida Education Equity Act Complaints and
ADA/Section 504 Complaints
700 SW 2nd Avenue, Okeechobee, FL 34974
(863)462-5000, Ext. 267

See Appendix C for the General Records Schedule

Authority: Chapters 119 and 257, Florida Statutes
Law Implemented: 20 U.S.C. 1232g; 34C.F.R. Part 99; 228.093, 230.331, 257.37,
Fla. Statute; Fla. Admin. Code Rule 6A-1.0955

Appendix A

Privacy Rights of Students and Parents

Privacy Rights of Students and Parents

The Family Educational Right and Privacy Act, 20 U.S.C. 1232g (FERPA), and corollary state law, Section 228.093, Fla. Statute afford parents and students who have attained 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1) The right of privacy with respect to the student's education records.

Personally identifiable records or reports of a student, and any personal information contained in those reports, are confidential. The School District of Okeechobee County will not release the education records of a student without the written consent of the eligible student or the student's parent(s) or guardian(s), except to the extent FERPA and state law authorized disclosure without consent.

- (2) The right to inspect and review the student's education record within 45 days after the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (3) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students may ask the School District of Okeechobee County to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (4) The right to provide written consent before a school discloses of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health person or medical staff and law enforcement unit personnel); a person serving on the School Board; a volunteer or contractor with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (NOTE: FERPA requires a school district to make a reasonable attempt to notify the

student of the records request unless it states in its annual notification that it intends to forward records on request.)

- (5) The right to file a complaint with the U. S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605

Florida Statute, 1002.221, provides that an educational institution may, without authorization from parents, guardians, or eligible students, release "Directory Information". Directory information includes the following:

Student's name, address, telephone listing, if not an unlisted number, date and place of birth, a major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent educational institution attended by student, photographs in the school year book and similar information.

If any parent, guardian, or student above the age of 18 years objects to the release of such information, he/she shall make known the objections, in writing, to the Superintendent within 30 days from the first day of the school year or first day of attendance.

The Okeechobee Education Records Manual is set forth in District Manual 5.50, Student Records. **The manual is available for inspection at the District Administration Office located at 700 SW 2nd Avenue, Okeechobee, Florida**, during regular office hours Monday — Friday. A copy of the policy may be obtained, free of charge, upon request.

Appendix B

Forms for Records Request and Release

Okeechobee County School Board Authorization for Release of Records

 _____ **nt** _____ **Date of Birth** _____ **Grade** _____
Last First Middle

Requested From and To:

Name and Title _____

School or Agency _____

Street Address _____

City _____ State _____ Zip _____

To Be Released To and From::

Name and Title _____

School or Agency _____

Street Address _____

City _____ State _____ Zip _____

The signature below authorizes the release of records and pertinent information as indicated for the purpose of _____ in accordance with Federal, State and District Regulations. (If necessary, please forward a copy of this request to the appropriate office (s) where the records are kept.) Okeechobee County bills Medicaid for Fee for Services therapies. There are no charges to any parent for any service billed.

- | | | |
|--|---|--|
| <input type="checkbox"/> Date of entry/withdrawal | <input type="checkbox"/> Grades to date in all subjects | <input type="checkbox"/> Psychological Evaluation report |
| <input type="checkbox"/> Previous Schools Attended | <input type="checkbox"/> Standardized Test information | <input type="checkbox"/> Psychiatric Evaluation |
| <input type="checkbox"/> Attendance Information | <input type="checkbox"/> Medical/health records | <input type="checkbox"/> Occupational/Physical Therapy reports |
| <input type="checkbox"/> Educational Evaluation | <input type="checkbox"/> Immunization Records | <input type="checkbox"/> Discipline records/disciplinary actions |
| <input checked="" type="checkbox"/> Exceptional Student Education Staffing Reports | <input type="checkbox"/> Vision/Hearing Screenings | <input type="checkbox"/> Case Management |
| <input type="checkbox"/> Dates & reasons for special program enrollment and withdrawals | <input type="checkbox"/> Speech/Language Screening | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Current Individual Educational Plan | <input type="checkbox"/> Specific Learning Disabilities testing | |
| <input type="checkbox"/> Records required for Medicaid eligibility including exceptional education placement, birthday, social security number | <input type="checkbox"/> Social History | |

Adult Student/Parent/Legal Guardian privileges and obligations under Florida State Board of Education Rule 6A 1.955 state:

- (1) Right to access (if desired, a copy of records may be obtained by Parent/Legal Guardian/Adult Student at cost of reproduction)
- (2) Right to privacy (Right to waiver access to confidential letters and statements)
- (3) Right to challenge (Right to challenge the contents of records being provided through a hearing)
- (4) Right of notification (Right to know that records are being transferred)

Information received will not be disclosed to any other party except school officials with a legitimate educational interest without prior consent of Parent/Legal Guardian or Adult Student.

Please note: Only minimally necessary information will be released

Any release of mental health and substance abuse information must be pursuant to F.S.A. §394.4615, F.S.A. §455.667, §397.501(7), 42 U.S.C. §2900dd-2, 42 C.F.R. Part 2 and 45 C.F.R. §164.508. Only the above specified persons or agencies will receive this information. You have the right to inspect and/or copy protected health information to be used or disclosed as provided in 45 C.F.R. §164.524.

PROHIBITION OF REDISCLOSURE: This information has been disclosed from records whose confidentiality is protected. Federal and state rules prohibit anyone from making any further disclosure of this information unless the patient provides specific written authorization for the subsequent disclosure of this information or as otherwise permitted by 42 C.F.R. Part 2 or F.S.A. §394.4615. A general authorization for the release of medical or other information is NOT sufficient for this purpose. Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient. (42 C.F.R. 2.32). Florida law requires that any person, agency or entity receiving this information shall maintain such information as confidential and exempt from the provisions of the public records law. (F.S.A. §394.4615(B)). Any facility or private mental health practitioner who acts in good faith in releasing information pursuant to F.S.A. §394.4615 or other Florida statute is not subject to civil or criminal liability for such release.

***Parental permission is no longer required when records are requested by authorized school personnel. (Family Education Rights & Privacy Act, Final Rule of Education Records, Federal Register, June 1, 1976, Vo. 41 Sec. 99.31, No. 118 Page 24673)**

I have been informed and understand my rights regarding the transfer of these records.

Adult Student Signature _____ Date _____

Parent/Legal Guardian _____ Date _____

Date Records Requested _____ Date Records Received _____

Parents/Guardians of record are assumed to retain the right to obtain/release student records unless other parties provide a current legally binding instrument reflecting a change of guardianship.

School District of Okeechobee County

Educational Records Review Log

Student Name _____

School _____

The Educational Records Review Log shall be kept in the student's Florida Cumulative Folder. The information gathered from the students records shall not be released to a third party unless such release is authorized.

Date	Name	Agency	Portion of Records to be Reviewed	Reason for Review	Professional Staff Representative

**OKEECHOBEE COUNTY SCHOOL BOARD
IN COUNTY TRANSFER GRADES**

Name of Student _____ Student's Grade Level _____

Transferring From _____ Transferring To _____

Please fill in the chart below with the student's grade information. You only need to put the category points/points possible for the current grading period. Only fill in the nine week grades for those nine weeks that have already closed.

Teacher	Subject	Nine Week Grades				Current Term Category Points/Points Possible		
		Quarter 1	Quarter 2	Quarter 3	Quarter 4	CWHW	Quiz	Test
	English							
	Reading							
	Math							
	Science							
	S Studies							
	PE							
	Music							
	*							
	*							
	*							
	*							

*Please list vocational courses or other courses that do not fall into one of the subjects listed above.

School District of Okeechobee County
Notification of Social Security Number Collection and Usage

In compliance with Florida Statute 119.071(5), this document serves to notify you of the purpose for the collection of your social security number. The Okeechobee County School Board will collect and use your social security number only if specifically authorized by law to do so or when it is imperative for the performance of its duties and responsibilities as prescribed by law.

An applicant, employee, vendor, or volunteer's social security number may be required for:

- Employment Application
- Criminal History Check (FDLE, FBI and local law enforcement agencies)
- Department of Homeland Security Federal I-9 form
- Federal W4, W2, 1099 and other IRS documents
- Federal Social Security taxes (FICA)
- Unemployment reports (Florida Department of Revenue)
- Florida Retirement System (FRS) documents and reports
- Workers' Compensation documents and reports
- Direct Deposit documents
- Authorizations and other documents for optional retirement programs such as 403(b)
- Documents and reports related to Group benefits such as health, dental and life insurance
- Documents and reports related to supplemental deductions
- Documents and reports for the Florida Department of Education Bureau of Educator Certification, Florida Department of Education Bureau of Professional Practices and other FL-DOE departments as required
- Documents and reports for the Florida Department of Children and Families, Florida Department of Labor, Florida Department of Revenue and other local, state and federal agencies as required
- Other purposes specifically required or authorized by local, state or federal law

A student's social security number may be required for:

- State of Florida Bright Futures Scholarship Program
- Local scholarship applications (Take Stock in Children, Okeechobee Educational Foundation, etc.)
- Verification of Income Eligibility for Federal Free and Reduced Lunches
- Medicaid Reimbursement
- General Education Diploma Application
- Social Security Income Verification and Assistance
- Developmental Services
- Data tracking for the Florida Education and Training Placement Program
- Managing Student Records in the Automated Student Database
- Matching of records between the Florida Department of Education and the Kindergarten screening data for Voluntary Pre-Kindergarten Provider Readiness Rate
- Reporting Excessive Absences to the Department of Motor Vehicles
- Documents and reports for the Department of Juvenile Justice and law enforcement agencies as required
- The Florida Department of Health as required
- Forwarding records requests to other school districts where the student seeks to enroll or to request records of past attendance
- Other purposes specifically required or authorized by local, state or federal law

If you have any questions or need further information, please contact the Okeechobee County School Board Office at 863-462-5000.

**School District of Okeechobee County
Notification of Social Security Number Collection and Usage**

**Distrito Escolar del Condado de Okeechobee
Notificación del Uso y Solicitud del Número de Seguro Social**

In compliance with Florida Statute 119.071(5), this document serves to notify you of the purpose for the collection of your child's social security number. The Okeechobee County School Board will collect and use your child's social security number only if specifically authorized by law to do so or when it is imperative for the performance of its duties and responsibilities as prescribed by law.

De acuerdo a los Estatutos del Estado de la Florida 119.07(5), este documento es para notificarte el porqué se le solicitará el número de seguro social de su hijo. La Junta Escolar del Condado de Okeechobee, obtendrá y usará el número de seguro social, solamente si está autorizada por la ley, o cuando ésta crea que es absolutamente necesario tenerlo, para poder realizar algún trabajo, o cumplir con alguna responsabilidad.

A student's social security number may be required for:	Se requerirá el número de seguro social de un estudiante para:
State of Florida Bright Futures Scholarship Program	Aplicación para el Programa de Becas de la Florida-Bright Futures
Local scholarship applications (Take Stock in Children, Okeechobee Educational Foundation, etc.)	Aplicación para becas escolares locales (Take Stock in Children, Okeechobee Educational Foundation, etc.)
Verification of Income Eligibility for Federal Free and Reduced Lunches	Verificación de Ingresos para participar del Programa Federal para obtener la Comida Gratis o a Precio Reducido
Medicaid Reimbursement	Reembolso al Medicaid
General Educational Development (GED) Application	Aplicación para el Diploma de Educación General (GED)
Social Security Income Verification and Assistance	Verificación de Ingresos del Seguro Social y Asistencia Social
Developmental Services	Desarrollo de Servicios
Data tracking for the Florida Education and Training Placement Program	Localizar información para el Programa de Educación y Entrenamiento de la Florida
Managing Student Records in the Automated Student Database	Manejo de los Archivos Estudiantiles en el Sistema de Información Automatizado
Matching of records between the Florida Department of Education and the Kindergarten screening data for Voluntary Pre-Kindergarten Provider Readiness Rate	Comparación de archivos entre el Dpto. de Educación de la Florida, y el banco verificación de datos de Kindergarten, para el Programa de Voluntarios Proveedores de Lectura, del Pre-Kindergarten
Reporting Excessive Absences to the Department of Motor Vehicles	Reporte de Ausencias Excesivas al Departamento de Motores y Vehículos
Documents and Reports for the Department of Juvenile Justice and law enforcement agencies as required	Documentos y reportes para el Departamento de Justicia Juvenil, y agencias de la ley, según lo requieran
The Florida Department of Health as required	El Departamento de Salud de la Florida, según lo requiera
Forwarding records requests to other school districts where the student seeks to enroll or to request records of past attendance	Envío de archivos escolares a petición de otras escuelas del distrito, cuando los estudiantes necesiten matricularse, o soliciten prueba de que asistieron a la escuela
Dual Enrollment in college courses	Matricula doble en la las clases del Colegio (cuando los estudiantes estan tomando clases en la escuela secundaria y a la vez estan tomando clases en el Colegio).
Other purposes specifically required or authorized by local, state or federal law	Para otros propósitos específicamente requeridos o autorizados por alguna agencia loca, estatal o federal

If you have any questions or need further information, please contact the Okeechobee County School Board Office at 863-462-5000

Si usted tiene alguna al respect, o necesita más información, por favo lláme a la Junta Escolar del Condado de Okeechobee al 863-462-5000

Appendix C

General Records Schedule GS7

<http://info.florida.gov/RecordsManagers>