

Education
Mercedes Toural, Associate Superintendent

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: FINAL READING
6Gx13- 5B-1.07, STUDENT RECORDS**

COMMITTEE: LEGISLATIVE RELATIONS AND POLICY DEVELOPMENT

The School Board of Miami-Dade County, Florida, announced on December 11, 2002, its intention to amend School Board Rule 6Gx13-5B-1.07, Student Records and the document, Student Educational Records, which is incorporated by reference and is a part of this rule, in order to comply with changes in Federal and State legislation, at its meeting of January 15, 2003. Additions to the Family Educational Rights and Privacy Act (FERPA), and the enactment of the USA Patriot Act of 2001 and the No Child Left Behind Act of 2001 require this revision.

As a result of these changes, student directory information will be released, upon request, to military services recruiters and postsecondary education institutions. Parents and eligible students will be given the opportunity to restrict the release of directory information to these entities. Included in this revision are the addition of disciplinary records to the list of Category B -Temporary Information which is to be transmitted to other educational institutions as part of a student's record, clarification of stepparent rights concerning student records, clarification of separated or divorced parents' rights to in person communication with school personnel, the definition of school official, the procedures for compliance with court orders or subpoenas that require no disclosure of or consent for the release of records, a revised parental notification of rights letter and the opt-out form which is to be used when a parent or eligible student does not want directory information released.

The time to request a hearing or protest the adoption of this rule has elapsed.

In accordance with provisions of the Administrative Procedure Act, this amended rule is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the rule in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action, the rule, and the document proposed for amendment. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt amended School Board Rule 6Gx13- 5B-1.07, Student Records, and the document, Student Educational Records, which is incorporated by reference and a part of this rule, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective January 15, 2003.

RKF/PH/sm

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on December 11, 2002, its intention to amend Board Rule 6Gx13- 5B -1.07, Student Records, at its meeting of January 15, 2003.

PURPOSE AND EFFECT: The purpose of the amendment is to incorporate the changes in Federal and State legislation specified in the revisions to the Family Educational Rights and Privacy Act (FERPA), the enactment of the USA Patriot Act of 2001, and the No Child Left Behind Act of 2001.

SUMMARY: The document entitled **Student Educational Records**, which is incorporated by reference and is part of the rule, has been amended to provide for releasing student directory information. As a result of changes in Federal and State legislation, student directory information will be released, upon request, to military services recruiters and postsecondary education institutions. Parents and eligible students will be given the opportunity to restrict the release of directory information to these entities. Included in this revision are the addition of disciplinary records to the list of Category B -Temporary Information which is to be transmitted to other educational institutions as part of a student's record, clarification of stepparent rights concerning student records, clarification of separated or divorced parents' rights to in person communication with school personnel, the definition of school official, the procedures for compliance with court orders or subpoenas that require no disclosure of or consent for the release of records, a revised parental notification of rights letter and opt-out form which is to be used when a parent or eligible student does not want directory information released.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1), (2); 1001.42(22); 1001.43(10) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 61.13(2)(b)3; 119.041; 1002.42(3); 1002.22; 1001.43; 1001.52; 1008.23 F.S.; 20 USC §1232 g;6A-1.0955 FAC

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF JANUARY 15, 2003, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by January 8, 2003, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N. E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Ronald K. Felton
Supervisor: Ms. Mercedes Toural
Date: November 25, 2002

Progress**STUDENT RECORDS**

Records are necessary to facilitate the orderly educational progress of each student. The information contained in student records shall be limited to those data elements necessary for the making of educational decisions. Continued efforts shall be made to protect the accuracy and privacy of the information contained in student educational records.

In order to implement a student records system, the Superintendent of Schools shall have the responsibility for developing and issuing directives, consistent with the appropriate Federal and State Statutes pertaining to student records.

The document, **Student Educational Records**, shall contain the District's directives and procedures relative to that subject and is incorporated into this Board Rule. Copies of the document are on file for public reference in the Office of the Board Recording Secretary, ~~to the School Board~~ and in the Citizen Information Center. Additionally, a copy shall be available at each region office for inspection.

Specific Authority: ~~230.22(2); 230.23(17)~~ 1001.41(1), (2); 1001.42(22); 1001.43(10) F.S.] Revised
 Law Implemented, Interpreted, or Made Specific: 61.13(2)(b)3; 119.041; 228.0921002.42(3); Subsequent
~~228.0931002.22; 230.23005(6)1001.43; 230.334~~ 1001.52; 232.248 1008.23 F.S.; P.L. ~~93-~~ to Initial
~~380; 20 USC §1232 g; 6A-1.0955~~ FAC Reading of
 12/11/02

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Technical Change: 5-1-98

Amended: 11-25-75; 3-31-82; 6-26-85; 1-21-87; 9-21-94; 12-9-98

STUDENT EDUCATIONAL RECORDS

**December 2002
January 15, 2003 1998
Final Reading**

MIAMI-DADE COUNTY PUBLIC SCHOOLS
Office of ~~Alternative~~ Exceptional Student Education and Dropout

Prevention
Division of ~~Student/Career~~ Services
Board Rule 6Gx13- 5B-1.07

The School Board of Miami-Dade County, Florida

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Ms. Mercedes Toural ~~Mr. Joseph H. Mathos~~
Associate Deputy Superintendent
for Education

Mr. Ronald K. Felton
Assistant Superintendent

Office of Exceptional Student Education and Student/Career Services

STUDENT EDUCATIONAL RECORDS

**Office of ~~Alternative~~ Exceptional Student Education and
Dropout Prevention
Division of Student/Career Services**

**Miami-Dade County Public Schools
December, 2002 1998**

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PREFACE

In 1974, Congress passed and the President signed the **Family Educational Rights and Privacy Act** codified at 20 U.S.C. § 1232 g. The **Act** protects the accuracy and privacy of information contained in students' educational records.

The primary purpose of this revised document is to provide instruction to school personnel that reflects the most recent changes in Federal and State legislation.

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I. DEFINITIONS

- A. **Educational records** are defined as those records, files, documents, computer media, and other materials which contain information directly related to students and maintained by an educational agency or institution or by a person acting for such an agency or institution.

This description is all inclusive, EXCEPT for:

1. ~~Records of instructional, supervisory, and administrative personnel and individuals under their supervision~~ educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.
2. ~~If the personnel of a law enforcement unit do not have access to education records as school officials, the records and documents of such law enforcement units which are kept apart from records described above, are maintained solely for law enforcement purposes and which are not available to persons other than law enforcement officials of the same jurisdiction~~ Records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement.
3. An employment record of persons who are employed by an educational agency or institution but who are not in attendance at such agency or institution, made or maintained in the normal course of business which relates exclusively to such person in the individual's capacity as an employee, and are not available for use for any other purpose.
4. Records on a student who is eighteen years of age or older or is attending a postsecondary education institution, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained or used only in connection with the provision of treatment to the student, and are not available to anyone other than person providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of that student's choice.

Under no condition should any information of a personally identifiable nature become part of a student's educational record unless it is the basis for a decision affecting the welfare of the student.

- B. **Parent** is defined as either or both natural parents, any guardian, or any other person who is in a parental relationship to a child or who is exercising supervisory authority in place of a parent over a child of public school age.

- C. **Eligible student** is defined as any student or former student who has attained 18 years of age or is attending an institution of postsecondary education, except in those cases when an individual's majority rights have been limited by court order and a copy of said order has been placed in the student's cumulative records.
- D. **Certified transcripts or permanent records** are copies of Category A information which bear the school seal and the signature of the appropriate school official. Electronic records transferred through the Florida Automated System for Transferring Educational Records (FASTER) system are certified records.
- E. **School official** is defined as a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel).
- F. **Directory Information** is defined as the following student information: name, address, telephone number, date and place of birth, dates of attendance, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received, most recent previous educational agency or institution attended, electronic mail address, and photograph.

II. CUMULATIVE RECORDS

A student's educational record is comprised of the electronic data maintained in the Integrated Student Information System (ISIS), Vocational Adult Community System (VACS) and hard copies of information placed in the cumulative records and in other centrally located files.

A. Purpose and Content

To provide professional personnel with a longitudinal student information system, and to facilitate the instruction, guidance, and educational progress of students, cumulative records shall be maintained for each student upon entrance into Miami-Dade County Public Schools (M-DCPS) according to the rules herein.

All cumulative records and any other information relative to students are maintained under the custodial care of the principal and shall be kept current. Information contained in these records shall be classified as follows:

1. **Category A - Permanent Information:** Verified information of clear educational importance which shall be retained forever for students in PK-12 and adult/vocational students enrolled in high school completion programs or vocational programs of 450 hours or more. Category A information is contained in the permanent record and consists of the following student information:
 - a. pupil's or student's full legal name;

- b. authenticated birthdate, place of birth, race, and sex;
- c. last known address of pupil or student;
- d. names of pupil's or student's parent(s) or guardian(s);
- e. name and location of last school attended;
- f. number of days present and absent, date enrolled, date withdrawn;
- g. courses taken and record of achievement, such as grades, units or certification of competence; and
- h. date of graduation or date of program completion.

2. **Category B - Temporary Information:** Verified information of clear educational importance which may be destroyed five (5) years after the student or his/her class graduates. The Department of Records and Forms Management should be contacted prior to the destruction of any records. Category B information may include, but is not limited to:

- a. health information;
- b. family background data;
- c. standardized test scores;
- d. educational and vocational plans;
- e. disciplinary records;
- e f. personal attributes;
- f g. honors and activities;
- g h. work experience, including employer ratings, if a part of an educational program;
- h i. teacher/counselor comments;
- i j. plans, reports, and evaluations of student services and exceptional student staffing committees, such as the Individual Education Plan (IEP) and documents showing the reason and date for each student's entry into and/or withdrawal from exceptional student program;
- j k. correspondence from community agencies or private professionals;

- k l. driver education certificates;
- l m. lists of schools attended;
- m n. written agreements of corrections, deletions, or expunctions as a result of meetings or hearings to amend educational records; and
- n o. English proficiency status of limited English proficient students plans, reports, and evaluations of limited English proficient students, such as the Limited English Proficient (LEP) Plan and documents showing the reason and date for each student's entry into and/or withdrawal from the LEP program.

Some of the information classified as Category B ~~will usually~~ could be noted directly in the cumulative records. ~~An example would be the list of schools attended.~~ In other cases information is to be recorded and maintained on a specific type of form. Examples are the **School Health Record** and the **Standardized Test Record Card**. The **Official Forms Index** of the Department of Records and Forms Management contains detailed information on the types of forms available for use in maintaining cumulative records.

B. Storage and Security

The file cabinets containing cumulative records should be placed in a location where they are secure from general scrutiny, but where they are accessible to authorized personnel for use on a regular basis. Copies of student educational records housed at locations other than the school must also be kept in a secure area to maintain maximum privacy. A system for recording the name, date, and time that a cumulative record is removed from the file should be implemented.

Only authorized employees of M-DCPS are allowed to access and use M-DCPS computer systems. Each authorized employee is responsible for understanding and conforming to the following regulations:

1. The personal employee password is known only to the individual employee.
2. Each authorized employee is responsible for establishing and changing the personal password and for maintaining its secrecy.
3. **Revealing this password to another individual is not permitted pursuant to the PASSWORD NON-DISCLOSURE STATEMENT.** A response agreeing to the stated conditions must be entered by all system users prior to system authorization of an employee password. (See page 36 8).

When an authorized employee has been cleared through the security screen and has accessed any one of the M-DCPS computer systems, activity performed by the individual is recorded by the computer. Should any unauthorized use or misuse of the system or data occur, the employee will be held accountable, **which could result in dismissal**. An employee allowing access to any system through revealing a personal password, or by allowing another person to perform any activity by “signing on” with a personal password **WILL BE HELD ACCOUNTABLE IN THE MANNER DESCRIBED ON THE NON-DISCLOSURE STATEMENT**.

C. Transfer of Cumulative Records

1. In the PK-12 program, **Cumulative Record Folders** for individual students are to be transferred upon the official request of a receiving Miami-Dade County public school or a Miami-Dade County Public Schools - sponsored charter school. All educational records, including psychological evaluations, are to be included in the transfer.
2. **Cumulative Record Folders** of groups of students promoted or transferred are to be sent in bulk to the receiving school as soon as possible, but no later than ten (10) school days after the close of the grading period. Computer-generated transmittal lists must be included with all **Cumulative Record Folders**. Transmittal lists must be ordered by the receiving school. Copies for both receiving and sending schools are forwarded automatically. If a student fails to appear in the receiving school, his/her **Cumulative Record Folder** and all registration materials are to remain at the receiving school.
3. The original **Cumulative Record Folder** and its contents are not to be transferred to any private or out-of-county school.
4. An official copy of **Category A - Permanent Information** is transferred immediately upon receipt of an official request from a private or out-of-county receiving school. Copies of **Category B - Temporary Information**, types a, c, e i j, and n~~o~~ as listed in subpart II, section A.2, must also be sent. Copies of other types of **Category B - Temporary Information** should be forwarded, if requested. Disciplinary records regarding any suspensions or expulsions must be sent to any private or public elementary or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll on a full-or part-time basis.
5. An official request for transfer of records from a recognized receiving school will be considered prima facie evidence of the parent’s knowledge of the transfer of records and no signed release will be required. However, since all school systems may not be in compliance with this aspect of the law, it is recommended that, in order to facilitate the receipt of records, an appropriately signed release document provided in English, Spanish, and Haitian Creole (see pages 1921-2123) be completed when registering any out-of-county student.

6. Release forms are not required to send transcripts to recognized postsecondary educational institutions, if sent in response to an official request from the institution, or if sent by the senior high school along with the student's application for admission.
7. The transfer of records should be made immediately upon receipt of a proper request. Under no condition shall the transfer of a student's records be delayed or denied for failure to pay a fine or fee assessed by the school.
8. Official requests for either transcripts (grades 9-12) or permanent records (grades PK-12) from institutions outside the FASTER system must be logged on the appropriate ISIS-TRACE Course Transfer and Credit Evaluation System request screen with the receiving institution's name and state.

Requests for transcripts or permanent records sent through the FASTER system are automatically logged. Log entries may be viewed via the ISIS-TRACE Course Transfer and Credit Evaluation System-FASTER system's Single Student History screen.

III. PERIODIC REVIEW OF RECORDS

- A. To assure the students' records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the students, and to provide an opportunity for the correction or deletion of any inaccurate, misleading, or inappropriate data, the principal shall be responsible for establishing appropriate procedures for the periodic review of personal data collected on each student.
- B. The principal, when he/she believes that material in a student's record is inaccurate, misleading, or otherwise in violation in the privacy of other rights of the student, shall be responsible for amending the material in question. When meeting this directive, the principal must also comply with the requirements described in VII, sections B, C and G on pages 134 and 146
- C. Copies of student educational records are sometimes maintained in locations other than the school. In those cases, the principal is to consult with the appropriate administrator prior to making a decision on the amendment or destruction of records. When the decision has been made, the principal shall have the responsibility to inform the person(s) in charge of the records at the location(s) where copies are maintained so that all information is consistent.
- D. Procedures for the disposition/destruction of records in accordance with Chapters 119 and 257, Florida Statutes, and Chapter 1B-24, Florida Administrative Code, are as follows:
 1. A Records Retention Schedule for the Miami-Dade County Public Schools Educational Centers, approved by the Division of Library and Information Services (Florida Department of State) and made available to all schools and appropriate work sites by the District's Department of Records and Forms Management, should be used by the principal or work site administrator as a guideline in determining what records are eligible for destruction.

2. Since the Records Retention Schedule does not authorize the destruction of records, a Records Disposition Request must be submitted by the District's Department of Records and Forms Management to the Department of State for approval. Refer to the M-DCPS General Records Schedule and Disposition Guide for School and Administrative Sites for details concerning eligible destruction dates. This document is available from the Department of Records and Forms Management.
 3. Records may be disposed of within the inclusive dates specified in the M-DCPS General Records Schedule and Disposition Guide for School and Administrative Sites while observing procedures and reporting requirements of the Department of Records and Forms Management.
 4. Proper disposal care must be given to the records which are either confidential or sensitive in nature. The principal is responsible for following approved disposal requirements for such records. Direct all inquiries to the Department of Records and Forms Management before any disposal action is begun.
- E. Miami-Dade County Public Schools will maintain a listing of the types of Category A and B educational records pursuant to Rule 6A-1.0955, State Board of Education Rules, and The procedures for the maintenance of student records are distributed to all schools on a yearly basis by from the Division of Student Services. For such information contact:

~~Department of Records and Forms Management~~
Division of Student Services
Miami-Dade County Public Schools
~~1450 N. E. Second Avenue, Room 657~~ 1500 Biscayne Blvd., Suite 341
Miami, Florida 33132
<http://www.dade.k12.fl.us/stservices>

IV. PUBLIC NOTIFICATION

Each school must provide to parents and eligible students annual notification of their right to inspect and review student educational records. The notification should be distributed at the beginning of the school year and must be available in the language of the parent or eligible student. A sample letter, for use in the PK-12 program, in English, Spanish, and Haitian Creole (see pages 257-279) has been provided; however, the exact nature of the letter and the procedures for its delivery may be determined by the principal.

Regardless of the form and style of the notification, the following points must be included:

- A. A description of the limits placed on access to student educational records.
- B. The procedures established for parents and eligible students to have access to the records for inspection and review.
- C. The provision and condition for the right and the waiver of access.
- D. The procedures established for challenging the content of educational records.
- E. Notification of the right to file a complaint with the **Family Policy Compliance Office** and the address of that office.
- F. Notification of the right to obtain a copy of the official policy of the Miami-Dade County Public Schools pertaining to the **Family Educational Rights and Privacy Act**.
- G. The categories of information designated as “directory information” (see VI, section A, page 9 10). In this regard, notification must also be made that the parent or eligible student will be given a reasonable period of time to inform the institution that a part or all the “directory information” should not be released without the appropriate prior consent. The objection should be noted by flagging the record on the ISIS - Student Information - Miscellaneous Information screen through the “Unsolicited Literature” flag or on the VACS - Student Information - biographical screen. Provisions for granting requests for lists of “directory information” data must also be included.
- H. The conditions under which the rights accorded to the parents are transferred to the students. (See V, section C -, page 9).

V. PARENT AND ELIGIBLE STUDENT ACCESS TO EDUCATIONAL RECORDS

- A. Parents of students and parents of former students of any state or local educational agency or institution, preschool through higher education, have the right to “inspect and review” all educational records directly related to their children under 18 years of age.
- B. A parent or eligible student may waive the right of access to confidential and other kinds of information contained in a student’s educational records, provided:
 - 1. the parent or eligible student is informed that a waiver of access is optional and cannot be required by the institution for any purpose;
 - 2. the parent or eligible student, upon request, is given the names of all individuals submitting confidential documents;

3. the parent or eligible student is informed that documents which are obtained through waiver of access will be used only for the purpose for which the documents were specifically intended; and
4. the parent or eligible student is informed that the waiver may be revoked at any time for actions occurring subsequent to the revocation.

The waiver is obtained by having the parent or eligible student read and sign the Waiver of the Right of Access form (see pages 22 4-24 6). Revocations of access right waivers are obtained in the same manner. A waiver of the right of access is to be sought only for those documents otherwise unobtainable and for which the appropriate school official determines a necessary use.

- C. Whenever a student or former student becomes eligible, the consent required of and the rights accorded to the parents of the student should thereafter only be required of and accorded to the student. However, an exception does exist in the right of access to the parents of eligible students, as described in VI, section H., page 102.
- D. Each principal is to identify persons who are readily accessible in the school office to become familiar with the provisions of this document, **Student Educational Records**, and be available, when requested by a parent or eligible student, to explain and interpret information contained in educational records when those records are being reviewed.
- E. In case of separation or divorce, both parents ~~may have~~ are entitled to access to their child's educational records and/or in-person communication regarding them with school personnel unless an appropriate court order revoking parental access has been filed with the school. If the school is notified of the separation or divorce, it is the responsibility of the principal to notify the parent with whom the child resides that the student records will be released to the other parent ten (10) days after receipt of the request unless the parent with whom the child resides provides a court order prohibiting the release. (See sample letter, pages 28 30-302)
- F. A stepparent has all record access rights granted to a parent when the parent authorizes the release of such records, in writing.
- F.G. If any material or document in the educational record of a student includes information on more than one student, the parent or eligible student seeking access will have the right to inspect and review only those parts that relate to said student or to be informed of the specific information contained in such material.
- G.H. Compliance with a request to inspect and review a student's educational record should be effected as quickly as administratively feasible; under no circumstances should the time exceed thirty (30) calendar days after the request has been made. The review process should be monitored at all times by an authorized staff member.

- H I. Once a request for access has been made by the parent or eligible student, information cannot be amended or destroyed until after the person making the request has had an opportunity to review the information.
- I J. The principal has responsibility for all educational records maintained in the school which may be housed in other locations other than the Cumulative Record Folder . It shall be the responsibility of the principal or the principal's designee to gather a student's educational records from the various locations within the school when a review is requested.
- J K. In order to further clarify and publicize the contents of this document, the statements contained on page 357 must be posted in all offices and locations in which parent conferences may be held.

VI. RELEASE OF INFORMATION

Access to any student educational record or the release of any personally identifiable information without the written consent of the parent or eligible student is prohibited. The consent must contain the reason for the release; the specific records to be released; and to whom the records are being released. (See pages 19 21-2+ 3). The signed and dated approval must be maintained in the student's cumulative record. A verbal request from a parent or eligible student for the transfer of records to a third party must be recorded on a properly completed release document. (See IX, pages 156-17 and pages 19 21-2+ 3). Personally identifiable information may be transferred to a third party only on the condition that it will not be released to any other parties without obtaining the consent of the parent or eligible student. However, the following categories are **exempt** from the above prohibition:

- A. Directory information, (See the definition of directory information, page 2.) , may be released to any individual, agency, or organization, ~~which is not listed in subparagraph B-N below only if it is normally published for the purpose of release to the public in general~~ . An additional limitation is described in IV, section G, page 79. including military services' recruiters and institutions of postsecondary education. M-DCPS is required to advise parents and eligible students of the requirement to provide directory information to military services' recruiters and institutions of postsecondary education and afford the parent or eligible student the opportunity to notify the school if this information is not to be disclosed to the military services' recruiters or institutions of postsecondary education. The school ~~should~~ must verify that a written request to withhold any or all of the directory information is on file at the school site. The Directory Information Opt-Out Form is to be used for this purpose. (See pages 40-42). The Directory Information Opt-Out Form and the Parent Notification Letter (see pages 40-42 and pages 27-29) are to be given to parents on a yearly basis. Notification of parental objection to release of "directory information" ~~should~~ must become a part of the computer file by flagging the record on the (ISIS) Student Information-Miscellaneous Information screen, "Unsolicited Literature" flag or the VACS - Student Information - biographical screen. The Directory Information Opt-Out Form is to be placed in the student's cumulative record folder.

~~“Directory Information” is defined as the following student information:~~

- ~~1. Name~~
- ~~2. Address~~
- ~~3. Telephone number, if listed~~
- ~~4. Date and place of birth~~
- ~~5. Dates of attendance~~
- ~~6. Major field of study~~
- ~~7. Participation in officially recognized activities and sports~~
- ~~8. Weight and height of members of athletic teams~~
- ~~9. Degrees and awards received~~
- ~~10. Most recent previous educational agency or institution attended~~

- B. School officials, defined as employees of the Miami-Dade County Public Schools, who have a legitimate educational interest in the welfare of the students. Only those officials who are **actually involved in making an educational decision** about the student are to have access to records, and then only those records that are germane to the issue.
- C. Officials of other schools or school systems in which the student seeks to enroll. This includes the Department of Corrections, which has the responsibility for providing educational services to school-aged students assigned to adult educational facilities. The provisions of this condition are outlined in II, section C, pages 45- 56.
- D. The United States Secretary of Education, and Director of the National Institute of Education, the Assistant Secretary of Education, the Comptroller General of the United States, The Attorney General of the United States, state and local educational authorities who are authorized to receive such information subject to the conditions set forth in the applicable federal statutes and regulations of the U.S. Department of Education or in applicable Florida Statutes and rules of the State Board of Education.
- E. In connection with a student’s application for and/or the receipt of financial aid. This includes information to the Social Security Administration and various welfare agencies as well as colleges and universities.
- F. 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 the studies are conducted in such a manner as which will not permit the personal identification of students and their parents by the individuals or organizations conducting the studies, ~~persons other than representatives of such organizations and if such~~ The information obtained will be destroyed when no longer needed. ~~for the purpose of conducting such studies.~~
- G. Accrediting organizations; in order to carry out their accrediting functions.

- H. Parents of an eligible student, if the student is still considered a dependent by the Internal Revenue Service, for income tax purposes. If there is any question on the part of the school official as to the dependency status of an eligible student, the parent may be required to provide an affidavit to that effect.
- I. In connection with health and safety emergencies. In these cases the following must be considered by the principal or designee prior to the release of information:
1. Serious threat to the health or safety to the student;
 2. The need for the information to meet the emergency;
 3. Whether the parties to whom the information is disclosed are in a position to deal with the emergency; and
 4. The extent to which time is of the essence in dealing with the emergency.
- J. State and local officials to whom such information is specifically allowed to be reported or disclosed pursuant to Florida Statutes if:
1. The disclosure concerns the juvenile justice system and its ability to effectively serve, prior to adjudication*, the student whose records are released; and
 2. The officials/authorities to whom such information is disclosed certify in writing that the information will not be disclosed to any other party, except as provided under Florida law, without the written consent of the student's parent.
- K. Legal authorities seeking information in compliance with an order of a court of competent jurisdiction or a lawfully issued subpoena. When a COURT ORDER OR SUBPOENA is received, the following procedures must be followed:
1. READ the subpoena or court order.
 2. If it is a federal grand jury subpoena in which the court orders, for good cause shown, the educational agency or institution not to disclose to any person the existence or contents of the subpoena or any information furnished to the grand jury in response to the subpoena, the school shall comply with the subpoena without giving notice to the parent.

*Florida law does provide for the release of specific student records, without parental consent, to parties to an interagency agreement among Department of Children and Families, school and law enforcement authorities, and other signatory agencies, solely for use in determining or coordinating appropriate programs and services for juveniles and their families, in order to reduce juvenile crime, truancy, and suspensions, improve school safety, and support alternatives to suspensions and expulsions. For information as to which agencies or its agents can access specific student records, schools should contact the Department of Special Programs, Juvenile Justice Support.

3. If it is a subpoena issued for a law enforcement purpose in which the court or other issuing agency orders, for good cause shown, the educational agency or institution not to disclose the existence or contents of the subpoena or any information furnished in response to the subpoena, the school shall comply with the subpoena without giving notice to the parents.
 4. For all other subpoenas or court orders for the release of student records which do not prohibit disclosure, the school must first send a letter to the parent or eligible student giving notification of the subpoena or court order and giving a reasonable time to the parent in the event that the parent wishes an opportunity to prevent the release of records. (See sample letter of notification on pages 343-345.) If a certified copy of a court order prohibiting the release of the student's records is not received within a reasonable time, the school shall comply with the subpoena or court order.
 - a. It is not sufficient that the parent, eligible student, or attorney merely call or write to the school to prevent the release of records. The parent or eligible student must obtain a certified copy of a court order preventing the release of records and provide same to the school.
 - b. A copy of the court order or subpoena and the written notification to the parent or eligible student shall be placed in the student's cumulative record.
 - c. If a court order or subpoena requires no disclosure of or consent for the release of records, then no record is to be kept on the Record of Access Card. Additionally, a copy of the court order or subpoena is not to be placed in the student's Cumulative Record Folder. The principal should maintain such subpoenas separately in the principal's office.
- L. Appropriate officials for use in expulsion hearings.
- M. The Auditor General of the State of Florida in connection with official functions; however, except when the collection of personally identifiable information is specially authorized by law, any data collected by the Auditor General shall be protected in such a way as that will not permit the personal identification of students and their parents by persons other than staff from the Auditor General's office. ~~and such personally identifiable~~ The data shall will be destroyed when no longer needed for by the Auditor General's official use.
- N. Credit bureaus, in connection 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.
- O. School readiness coalitions and the Florida Partnership for School Readiness in order to carry out their assigned duties.

In cases where information is developed or summarized from any of the contents of a student's educational record (e.g., court letters), a copy of that information and a statement of the purpose for which it was intended must be filed as a part of the student's educational record.

The appropriate person, as described herein, may obtain copies of information contained in a student's educational record, but under no circumstances, except in the case of the court reporter when the records are subpoenaed, is the original educational record, or part thereof, to be removed from the control of the school official.

Questions regarding legitimacy of requests for release of personally identifiable information, including "directory information," should be directed to the Division of Student Services.

VII. RIGHT TO CHALLENGE THE CONTENTS OF SCHOOL RECORDS- HEARING PROCEDURES

A parent has the right of access for the inspection and review of a student's educational record. The parent shall also have an opportunity for a hearing to challenge the content of said record, if it is thought to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. The right includes an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Schools may attempt to meet the intent of this subpart through informal meetings and discussion; however, when such informal proceedings are not satisfactory to either the school or the parent, the following procedures are to apply:

- A. Upon being requested, verbally or in writing, by a parent to amend certain portions of a student's record as inaccurate, misleading, or otherwise inappropriate, the principal of the school shall ascertain, verbally or in writing, what particular document(s) or item(s) contained therein is/are objectionable.
- B. The principal shall study the document(s) or item(s) and within ten (10) working days of the initial request either concur with the request or schedule a hearing.
 1. If the principal concurs with the request, the material in question should be amended and the parent given written notification of the amendment.
 2. If a hearing is scheduled, it should be at the time convenient to the parent(s) and the parent(s) should be advised, in writing, of the time and place.

The parent(s) should also be advised of their right to bring to the hearing, at their own expense, any individual who may be of assistance. The parent(s) must be assured that the decision on the issue will be based solely upon the evidence presented at the hearing. The principal may have any other persons to support the school position on the issue. The principal is advised to keep a written record of the hearing.

- C. Within ten (10) working days of the hearing, the principal will either concur with or deny the request.
 - 1. If the principal concurs with the request, the material in question should be amended and the parent(s) given written notification of the amendment.
 - 2. If the principal denies the request, a brief summary of the testimony of the hearing and the principal's reason(s) for denying the request should be forwarded to the region superintendent and the parent(s).

- D. If the request is denied at the school level, the parent(s) may appeal the decision to the region superintendent. If the decision is appealed, the region superintendent will review the summary of information submitted by the principal, hear any testimony that the parent(s) or eligible student may wish to present, and either concur with the request or affirm the decision of the principal .
 - 1. If the region superintendent concurs with the request, the principal shall be directed to amend the material in question and give written notification to the parent.
 - 2. If the region superintendent affirms the decision of the principal, the region superintendent shall forward to the District Director, Division of Student Services, the principal, and the parent(s) a brief summary of the testimony at the hearing and the region superintendent's reason(s) for denying the request.

- E. If the request is denied at the region level, the parents(s) must be informed that they may appeal the region decision to the District Director, Division of Student Services. If the decision is appealed, the District Director, Division of Student Services, will review the summary of information submitted by the region superintendent and the principal and hear any testimony that the parent(s) or eligible student may wish to present.
 - 1. If the District Director, Division of Student Services , concurs with the request, the principal shall be directed to amend the material in question and notify, in writing, the region superintendent and the parent(s) of the decision.
 - 2. If the District Director, Division of Student Services, affirms the decision of the region superintendent and the principal, the District Director shall forward to the region superintendent, the principal, and the parents a brief summary of the testimony at the hearing and the reason(s) for denying the request.

- F. If a decision is reached at any level of the hearing procedure which is against the parents' contention that information be amended, the parent(s) must be informed of their right to enter into the record a statement of explanation relative to the information in question. That explanation must be included in all relevant disclosures or release of information.

- G. If any records are to be corrected, deleted, or expunged, an agreement, in writing, signed and dated by the parent and designated school official should become a part of the student's record. The agreement should indicate only that the record has been corrected, deleted, or expunged.
- H. Rights to challenge the contents of educational records, as outlined herein, pass on to the student when the student becomes eligible. However, parents of eligible dependent students still maintain their appeal rights. (See VI, section H, page 1012 for description of eligible dependent student).
- I. The parent has the right to file a complaint with the Family Policy Compliance Office, U.S. Department of Education, ~~600~~400 Independence ~~Maryland~~ Avenue, S.W., Washington, DC 20202-4605, if the parent thinks the school or school system is not in compliance with the law. The parent has the right to obtain a copy of the official policy of Miami-Dade County Public Schools relative to the **Family Educational Rights and Privacy Act** at the school.

VIII. REPRODUCTION OF STUDENT RECORDS

- A. When reproductions are made, parents and eligible students may be assessed the actual cost of producing such copies, not to exceed 15 cents per page or 20 cents for two-sided pages. ~~If charging for reproductions of these records would deny meaningful access to such records, no charge should be required~~ A fee may not be charged when the imposition of that fee would effectively prevent the parent, guardian, or eligible student from exercising the right to inspect and review the student's educational records.
- B. A fee may not be charged for the first five certified copies of a high school transcript for students currently enrolled in Miami-Dade County Public Schools. Thereafter, one dollar will be charged to certify each transcript in addition to charges for reproducing the record. The school may waive the fee for certified transcripts when, in the opinion of the school personnel, the circumstances warrant such a waiver. Fees may not be charged for transmitting electronic transcripts.
- C. Pursuant to School Board Rule 6Gx13- 3B-1.051, Fees-Photocopy of Public Records, Section II.D., states, "When employee records or student records are subpoenaed or demanded by court order, the charges apply.
- ED. All other individuals who are authorized access to records as stated in VI, sections B-G, ~~and I-NJ,~~ and L-N, pages 101-123 are not to be assessed charges.

IX. THIRD PARTY RESTRICTIONS

- A. A student's educational record and all personally identifiable information shall not be released except on the condition that the information being transferred will not be subsequently released to any other party without obtaining the consent of the parent or the eligible student.

- B. Released copies of educational records and personally identifiable information must be destroyed when no longer required by the same person to whom the information was appropriately released.
- C. In order to comply with the two limits defined in IX (sections A and B), a notice of these restrictions should be included by means of (1) a stamp used to mark all copies of information being released indicating that the information may not be subsequently released to any other party without the written consent of the parent or eligible student and that the copies of the information be destroyed when no longer needed, or (2) a copy of the statement provided on page 37 9 is included with the records.

X. RECORD OF ACCESS

- A. Except as noted below, a **Record of Access Card** (see page 34 6) must be maintained indicating **all** parties having requested or obtained access to a student's educational record. All categories of information contained on the **Record of Access Card** are required by law.
- B. **Record of Access Cards** are considered Category B records for destruction purposes. However, data on the **Record of Access Card** that pertains specifically to Category A information must be maintained permanently. Therefore, prior to the destruction of **Record of Access Cards**, all notations related to Category A must be logged on the appropriate ISIS - TRACE Course Transfer and Credit Evaluation System request screen with the name of the person or agency to which information is released.
- C. The record of access requirement does not apply to parents, eligible students, authorized personnel of Miami-Dade County Public Schools having a legitimate educational interest in the welfare of the student, disclosure based upon written consent, and disclosure of directory information. Additionally, exempt from notation are transcripts sent to educational institutions. The **Record of Access Card** shall be available only to parents, eligible students, and persons or organizations as noted in VI., pages 910-12 4.
- D. If a court order or subpoena requires no disclosure of or consent for the release of records, then no record is to be kept on the **Record of Access Card**. Additionally a copy of the court order or subpoena is not to be placed in the student's cumulative folder. The principal should maintain such subpoenas separately in the principal's office.

] Revised
Subsequent to
Initial Reading
of 12/11/02

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APPENDICES

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Miami-Dade County Public Schools

Permission for Release of Records and/or Information From Records

Student's Name: _____ DOB: _____
Records to be Released: (Please check appropriate item(s)).

- | | | |
|---|---|---|
| <input type="checkbox"/> Psychological Report | <input type="checkbox"/> Test Scores | <input type="checkbox"/> Attendance Information |
| <input type="checkbox"/> Grades | <input type="checkbox"/> Health/Medical Records | <input type="checkbox"/> Other (Specify) _____ |

The record(s) indicated above is/are to be released to:

Agency _____ Contact Person _____

Address _____

The purpose for this release is: _____

I hereby grant permission for the release of the above record(s) and this release to be in effect until _____ (Date).

Signature of Parent or Eligible Student (Date)

School/Agency Releasing/Requesting Records

Signature of Authorized Personnel

Title (Date)

Miami-Dade County Public Schools is subject to the Family Educational Rights and Privacy Act of 1974 Codified at 20 U.S.C. §1232 g. Therefore, all documents contained in a student's educational records, except those specifically waived, are accessible to the parents or eligible student.

Personally identifiable information may be transferred to a third party only on the condition that it will not be released to any other parties without obtaining the consent of the parent or eligible student.

A COPY OF THIS AUTHORIZATION SHALL BE AS VALID AS THE ORIGINAL.



Miami-Dade County Public Schools
Escuelas Públicas del Condado Miami-Dade

Autorización de entrega de expedientes e información

Nombre del/de la alumno/a: Fecha de nacimiento:

Documentos requeridos: (por favor marque el espacio apropiado)

- Informe Sicológico
Resultado de las pruebas
Expediente Médico
Asistencia escolar
Boletín de calificaciones
Otro (especifique)

El/los documento/os o señalado/os serán entregados a:

Agencia Personal Autorizado

Dirección

La información será suministrada con el objeto de: Por este medio autorizo que los documentos o las copias de los mismos sean entregados. Esta autorización será válida hasta (fecha).

Firma del padre/madre, tutor o estudiante elegible (fecha)

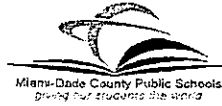
Escuela/Agencia que emite/recibe los documentos

Firma del personal autorizado

Cargo (fecha)

Las Escuelas Públicas del Condado de Miami-Dade cumplen con la ley pública del Derecho de Familia y la Privacidad, de 1974 Codificado en 20 U.S.C. §1232 g. Por lo tanto, todos los documentos incluidos en el expediente escolar del estudiante, con la excepción de aquellos documentos a los cuales se ha renunciado, pueden ser revisados por los padres, tutores o estudiantes elegibles.

UNA COPIA DE ESTA AUTORIZACIÓN SERÁ TAN VÁLIDA COMO LA ORIGINAL.



Miami-Dade County Public Schools
LEKÒL LETA MIAMI-DADE COUNTY

Pèmisyon Pou Bay Dosye e/oubyen Enfòmasyon ki nan Dosye Lekòl la

Non Elèv _____

Dat Li Fèt _____

Dosye Nou Kapab Bay: (Tanpri tcheke sa k apwopriye yo)

_____ Rapò Sikolojik
_____ Rezilta Tès
_____ Prezans/absans

_____ Ane Eskolè
_____ Dosye sante/medikal
_____ Lòt dosye

Dosye sa a/yo nou gen dwa pase li/yo bay:

Ajans _____ Reprèzantan _____

Adrès _____

Rezon pou pèmisyon sa a: _____

Sa a se pèmisyon m ki pèmèt yo bay dosye sa a/yo - Pèmisyon sa a/yo valab jiska _____
_____ (Dat la).

Siyati paran ou byen elèv elijib la (Dat la)

Lekòl /ajans k ap bay /Resevwa dosye a

Siyati anplwaye ki gen otorizasyon

Tit (Dat la)

Sistèm Lekòl (Leta) Miami-Dade County opere sou baz yon lwa ki pwoteje dwa ak vi prive fanmi. Kidonk, tout dokiman ki nan dosye yon elèv, elèv sa a oubyen paran li gen dwa wè li. Amwenske li te siyen pou aksepte li pèdi dwa sa a.

Enfòmasyon pèsònèl sou yon elèv, pèsòn pa andwa wè yo, amwenske li resevwa konsantman elèv la oubyen paran li.

KOPI OTORIZASYON SA A AP VALAB MENM JAN AK ORIJINAL LA.



MIAMI-DADE COUNTY PUBLIC SCHOOLS

Waiver of the Right of Access

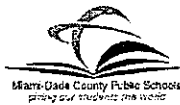
My waiver of the right of access authorized below, is given voluntarily and with the understanding that the documents thus obtained will be used only for the purposes for which they were specially intended. Upon my request, the names of individuals providing documents under this waiver will be provided to me.

I have read and understand the above paragraph; therefore, I do hereby waive my right of access to the following documents.

Signature of Parent or Eligible Student (Date)

As of _____ (Date), I am revoking the waiver of access. I understand this will apply to actions occurring after today's date.

Signature of Parent or Eligible Student (Date)



ESCUELAS PÚBLICAS DEL CONDADO MIAMI-DADE

RENUNCIA VOLUNTARIA AL DERECHO DE ACCESO

Voluntariamente renuncio al acceso a estos documentos al entender que los mismo serán utilizados exclusivamente con el propósito por el cual han sido solicitados. A petición mía, me serán dados los nombres de las personas responsables, de la entrega de dichos documentos.

He leído y entiendo lo anteriormente mencionado; por lo tanto, renuncio a mi derecho de acceso a los documentos siguientes:

Firma del padre/madre, tutor o estudiante elegible

(fecha)

A partir del _____ (fecha), hago constar que revoco mi derecho a examinar los documentos especificados. Entiendo que esta acción tomará efecto a partir de mañana.

Firma del padre/madre, tutor o estudiante elegible

(fecha)



Lekòl Leta Miami-Dade County

Pèmisyon Legal

Legalman mwen bay otorizasyon anba a, mwen bay li volontèman e ak konpreyansyon dokiman yo resevwa a, ap sèvi sèlman pou rezon yo espesyalman te gen entansyon itilize li a. Lè mwen mande non endividi ki resevwa dokiman sa yo anba pèmisyon legal sa a, nou dwe ban mwen li.

Mwen li e konprann paragraf anwo a; pakonsekans, mwen bay pèmisyon legal mwen pou dokiman sa yo.

Siyati paran oubyen elèv elijib la

(Dat la)

Aprè Dat la _____, m ap revoke aksyon kote mwen te bay pèmisyon legal sa a. Mwen konprann sa ap aplike pou aksyon ki pase apre dat jodi a.

Siyati paran oubyen elèv elijib la

(Dat la)

FM-5234H (01-99)

SAMPLE LETTER
(Use School Letterhead)

Dear Parent:

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s educational records. They are:

1. The right to inspect and review the student’s educational records upon request. Parents or eligible students should submit ~~to the school principal~~ a written request to the school principal 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. Copies of records may be requested and obtained.
2. The right to request the amendment of the student’s educational record that the parents or eligible students believes are inaccurate, misleading, or inappropriate. Parents or eligible students may ask Miami-Dade County Public Schools (M-DCPS) to amend a record that they believe is inaccurate, misleading, or inappropriate. A written request to the principal should clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the principal decides not to amend the records as requested, the parents or eligible students will be notified of the decision and advised of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents or eligible students with notification of the right to a hearing.
3. The right to consent to disclosures of personally identified 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 M-DCPS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel). A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility. Upon request, ~~the M-DCPS~~ discloses educational records without consent to the officials of another school district or postsecondary institution in which a student seeks or intends to enroll.
4. The right to restrict the release of directory information which includes, name, address, telephone, date and place of birth, date of attendance, major field of study, participation in officially recognized activities and sports, degrees and awards received, photo, email address, and the most recent previous educational agency or institution attended. ~~A written request to restrict the release of this information should be received by the school within 20 days of the receipt of this letter. If you do not want this information released, please complete the Directory Information Opt-Out Form and return it to the school within 15 days of receiving this notification.~~
5. The right to restrict the release of a student’s name, address, and telephone listing to military recruiters and institutions of higher education as required by federal law. This request applies to our students in the senior high schools. M-DCPS is required to advise you of this requirement and afford you the opportunity to notify the school if you do not want this information disclosed to the military recruiters and institutions of higher learning. If you do not want this information released, please complete the Directory Information Opt-Out Form and return it to the school within 15 days of receiving this notification.
- 5-6. The right to file a complaint with the U.S. Department of Education concerning alleged failures by M-DCPS to comply with the requirement of FERPA. The name and address of the ~~the~~ office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland 600 Independence Avenue, SW
Washington, DC 20202-4605

If you have any questions, please contact _____.

Sincerely,

Principal

SAMPLE LETTER
(Use School Letterhead)

Estimado/a padre, madre o tutor/a:

La Ley de los Derechos de la Familia y la Privacidad o FERPA, proporciona ciertos derechos sobre los expedientes académicos del estudiante a los padres y estudiantes elegibles mayores de 18 años de edad. Estos derechos son:

1. El derecho a inspeccionar y revisar los expedientes académicos de los estudiantes cuando se soliciten. Los padres o estudiantes elegibles deben presentar una nota al/a la director/a de la escuela identificando los expedientes que desean inspeccionar. Al recibo de la petición, el/la director/a hará los arreglos necesarios y notificará al/padre o madre o al/a la estudiante elegible de la fecha y lugar donde se pueden revisar los expedientes. Se puede solicitar y obtener una copia de los documentos.
2. El derecho a solicitar que se enmiende el expediente académico de un/a estudiante que ~~el padre, la madre~~ los padres o el/la los estudiantes elegibles consideren inexacto, engañoso o inapropiado. Los padres o estudiantes elegibles pueden enviar una notificación por escrito al/a la director/a, pidiendo que las Escuelas Públicas del Condado de Miami-Dade o M-DCPS, por sus siglas en inglés, enmienden el expediente que se considera inexacto, engañoso o inapropiado. La nota debe explicar con claridad que parte del expediente se desea cambiar y la razón por la cual se considera inexacto o engañoso. Si el/la director/a decide no enmendarlos, notificará a los padres o al/a la estudiante elegible de su decisión, advirtiéndoles de su derecho a apelar la decisión, a funcionarios escolares de más alta jerarquía. A los padres o estudiantes elegibles se les proporcionará información adicional explicando los procedimientos por los cuales pueden obtener una audiencia y su derecho a tenerla.
3. El derecho a permitir que se revele la información que ha sido personalmente identificada dentro de los expedientes académicos del/de la estudiante, con la excepción de aquella que FERPA autorice que sea revelada sin consentimiento previo. Un/a funcionario/a escolar con un legítimo interés educacional que pide un expediente académico para revisarlo, representa una excepción, por la cual se permite que éste pueda ser revelado sin consentimiento previo. Un/a funcionario/a escolar es una persona que está empleada por M-DCPS como un/a administrador/a, supervisor/a, miembro del personal de apoyo, incluyendo personal médico o de salud y policías a cargo del cumplimiento de la ley. Un/a funcionario/a escolar tiene un interés educacional legítimo cuando para cumplir su responsabilidad profesional, necesita revisar el expediente académico. Si funcionarios de otro distrito escolar o institución postsecundaria a la cual quiere asistir el/la estudiante piden sus expedientes académicos, M-DCPS los puede revelar sin previo consentimiento.
4. El derecho a restringir la emisión de la información privada del/de la estudiante, incluyendo su nombre, dirección, teléfono, fecha y lugar de nacimiento, fechas de asistencia a la escuela, campo de estudios más importante, participación en actividades y deportes reconocidos oficialmente por la escuela, títulos y premios recibidos por foto, y correo electrónico, y la anterior agencia educacional o institución a la que asistió. ~~La escuela debe recibir una notificación por escrito prohibiendo que se revele esta información, durante los 20 días anteriores al recibo de esta carta. Si Usted no quiere que esta información se revele, por favor, llene el Formulario para Darse de Baja del Directorio (Directory Information Opt-Out Form) y devuélvalo a la escuela en o antes los 15 días posteriores de haber recibido el formulario.~~
5. El derecho de restringir el nombre, la dirección y teléfono al servicio militar e instituciones docentes postsecundarias tal como lo requiere la ley federal. Esta petición se refiere a los estudiantes de escuela secundaria. Se le requiere a M-DCPS que le informe sobre este requisito y que le dé a usted la oportunidad de notificar a la escuela, si usted no quiere que se revele esta información al servicio militar e instituciones docentes postsecundarias. Si no quiere que se dé a conocer esta información, por favor complete el Formulario para Darse de Baja del Directorio (Directory Information Opt-Out Form) y devuélvalo a la escuela en o antes los 15 días posteriores de haber recibido el formulario.
- 5 6. El derecho a elevar la queja correspondiente sobre los supuestos fallos de M-DCPS en el cumplimiento del requisito de FERPA, ante el Departamento de Educación de los Estados Unidos. El nombre y dirección de la oficina que administra FERPA es:

Family Policy Compliance Office
U.S. Department of Education
600 400 Independence Maryland Avenue, S.W.
Washington, DC 20202- 4605

Si tiene preguntas al respecto, por favor llame a _____.
Sinceramente,

Principal

MODÈL LÈT
(Pape Antèt Lekòl)

Chè Paran:

Akò sou Dwa Fanmi ak Vi Prive (FERPA) bay paran e elèv ki depase 18 tan daj (“elèv ki elijib”) sèten dwa ki gen rapò ak dosye edikasyon elèv la. Yo se:

1. Dwa pou enspekte ak revize dosye edikasyonèl elèv la lè li mande l. Paran oubyen elèv ki elijib dwe prezante direktè/tris lekòl la yon demann alekri ki idantifye dosye yo vle enspekte a. Direktè/tris la ap fè aranjman pou aksè e avize paran an oubyen elèv ki elijib la lè e ki kote li kab enspekte dosye yo. Yo kab mande e jwenn kopi dosye yo.
2. Paran oubyen elèv ki elijib la genyen dwa pou mande amandman nan dosye edikasyonèl elèv la yo kwè ki pa kòrèk, ki kab mal entèprete oubyen ki pa apwopriye. Paran oubyen elèv ki elijib la kab mande Lekòl Leta Miami-Dade County (M-DCPS) pou amande yon dosye yo kwè pa kòrèk, ki kab mal entèprete, oubyen ki pa apwopriye. Yon demann alekri pou adrese direktè/tris la dwe idantifye klèman pati nan dosye a yo vle pou chanje a, e espesifye poukisa li pa kòrèk oubyen kab mal entèprete. Si direktè/tris a deside pou pa amande dosye a jan paran an oubyen elèv ki elijib la mande y ap avize yo de desizyon an e bay yo konsèy sou dwa yo pou yon odyans sou demann amand la. Anplisdesa, y ap ofri paran oubyen elèv ki elijib la enfòmasyon ki gen baz sou pwosesis odyans la ak yon avi sou dwa yo pou odyans la.
3. Dwa konsantman pou soumèt enfòmasyon di idantifye elèv la pèsònèlman ki nan dosye edikasyon li, eksepte sa FERPA otorize pou yo soumèt san konsantman. Yon eksepsyon ki pèmèt soumèt enfòmasyon san konsantman se pou soumèt enfòmasyon bay ofisye lekòl la ak enterè edikasyonèl lejitim. Yon ofisye lekòl se yon moun ki anplwaye nan M-DCPS e kòm yon administratè, sipèvizè, pwofesè, oubyen yon anplwaye kòm manm sipò (ki genyen ladann anplwaye sante, oubyen medikal e yon moun ki travay pou ranfòse lwa sou seksyon pèsònèl). Yon ofisye lekòl la genyen yon enterè edikasyonèl lejitim si enterè ofisye sa a bezwen revize yon dosye edikasyon pou l kab ranpli responsablite pwofesyonèl li. Lè yo mande pou M-DCPS soumèt dosye edikasyonèl san konsantman bay ofisye lekòl nan yon lòt distri oubyen nan yon enstitisyon apre lekòl segondè kote elèv la ap chèche oubyen genyen entansyon pou li enskri.
4. Dwa pou limite pèmasyon pou bay enfòmasyon jeneral ki genyen ladann, non, adrès telefòn, dat e kote li fèt, dat li ale lekòl, matyè li te etidye, patisipasyon li nan aktivite ofisyèl rekoni e espò, diplòm e prim li resevwa, gnon foto, e adres internet, e dènye ajans, enstitisyon edikasyonèl li te ye. Ou dwe resevwa yon demann alekri pou limite pèmasyon pou bay enfòmasyon an alekri ant 20 jou apre ou resevwa lèt sa a: Si ou pa vle yo soumèt enfòmasyon sa yo, silvouplè ranpli fòm pou pa bay enfòmasyon jeneral e retounen li nan von espas 15 jou apre ou resevwa lèt sa a.
5. Dwa pou limite bay baz militè, e enstitisyon apre lekòl segondè, jan sa mande dapre lalwa federal, non, adrès, e telefòn yon elèv. Demand sa a aplike pou elèv nan lekòl segondè (high school). M-DCPS genyen obligasyon pou avize ou de obligasyon sa a e pèmèt ou opòtinite pou avize lekòl yo, si ou pa vle yo devwale enfòmasyon sa a bay rekritè pou sèvis militè ak enstitisyon pou edikasyon apre lekòl segondè. Si ou pa vle yo bay enfòmasyon sa a, silvouplè ranpli fòm pou pa bay enfòmasyon jeneral la e retounen li bay lekòl la nan espas 15 jou apre ou resevwa avi sa a.
- 5 6. Dwa pou plase yon plent ak U.S. Department of Education konsènan posiblité M-DCPS pat obeyi demann FERPA. Non e adrès Biwo Administratè FERPA se:

Family Policy Compliance Office
U.S. Department of Education
600 400 Independence Maryland Avenue, SW
Washington, DC 20202 - 4605

Si w genyen nenpòt keksyon, silvouplè kontakte _____.

Sensèman,

Direktè/tris

(School Letterhead)

SAMPLE LETTER TO CUSTODIAL PARENT

This school has received communication from _____
indicating that (he/she) is the natural (mother/father) of _____ (name of student) _____ and
requesting access to his/her child's educational records.

According to federal and state statute, as well as School Board rules, the non-custodial parent is
eligible to receive this information. In accordance with the cited legal references, the information
will be forwarded to _____ (name of non-custodial parent) _____, ten days from the date of request.

If there is a court order revoking (name of non-custodial parent's) access to this information, you
are to contact this office immediately.

If I can be of some assistance in this matter, please contact me at _____ .

Sincerely,

Principal

(School Letterhead)
Carta Modelo a Tutores

La escuela ha recibido una comunicación de _____ que indica que esta persona es el padre o la madre natural de (nombre del estudiante) y solicita información sobre el expediente académico de este estudiante.

Según las leyes federales y estatales, así como las regulaciones de la Junta de Educación, el padre/madre que no tiene la custodia legal del estudiante tiene el derecho a recibir esta información. La misma será enviada a (nombre del padre/madre que no tiene la custodia del estudiante) diez días después de la fecha de la solicitud. Durante este término, si existiera una orden judicial prohibiendo la entrega de dicha información al solicitante, sírvase comunicarse con esta oficina inmediatamente.

Si necesita más información, puede llamarme al _____ .

Atentamente,

Director/a

(School Letterhead)
SAMPLE LETTER TO CUSTODIAL PARENT

Lekòl sa resevwa kominikasyon de _____ k endike li se (manman /papa) natirèl _____ (non elèv la) _____ e mande wè ak li dosye edikasyonèl pitit li.

Dapre lwa federal, e lwa eta a, menmjan ak règleman Komisyon Konsèy Lekòl yo, paran ki pa viv ak elèv la elijib pou li resevwa enfòmasyon sa a. Dapre referans legal sa yo ki mansyone la a, enfòmasyon an pral jwenn (paran ki pap viv ak elèv la) dis jou apre dat li te fè demann la.

Si genyen yon manda legal ki revoke (non paran ki pap viv ak elèv la) pou ou wè ak li enfòmasyon an, ou dwe kontakte biwo sa a imedyatman.

Si mwen kab ede w nan sitiyasyon sa a, silvouplè kontakte mwen nan.

Sensèman,

Direktè/tris

(SCHOOL LETTERHEAD)

SAMPLE LETTER TO PARENT UPON RECEIPT OF SUBPOENA OR COURT ORDER

This school has received a subpoena (or court order) directing the release of the student records of your child, (name of child), at a deposition/trial/hearing on _____, 1920.

This letter is simply to notify you that it is our intention to comply with the court order/subpoena unless we are provided a certified copy of a court order prohibiting the release. Letters and phone calls from you or your attorney requesting or directing us not to release the records are insufficient.

If I can be of some assistance in this matter, please contact me at _____.

Sincerely,

Principal

(SCHOOL LETTERHEAD)

Carta Modelo Al Recibir La Escuela Una Orden Judicial

La escuela ha recibido una citación u orden judicial que exige la entrega del expediente académico de su hijolike/a (nombre de su hijolike/a, para utilizarlo en una deposición/ juicio audiencia el _____ de _____ de 19 20 _____.

El motivo de esta carta es informarle que cumpliremos con la citación u orden de la corte, a no ser que se nos entregue una copia certificada de una orden judicial prohibiendo dicha entrega. Las cartas o llamadas de su parte o por parte de su abogado, no impedirán la entrega de los documentos.

Si necesita información con respecto a este asunto, puede llamarme al _____.

Atentamente,

Director/a

(PAPYE ANTÈT LEKÒL LA)
**MODÈL LÈT POU PARAN YO LÈ YO RESEVWA MANDA POU YO
PREZANTE NAN TRIBINAL**

Lekòl sa a resevwa yon manda (osnon yon demann tribinal) ki mande pou n soumèt dosye lekòl pitit ou a, (non timoun nan) nan yon depozisyon/pwosè/odyans le _____, 19 20 ___.

Lèt sa a se pou senpleman fè w konnen entansyon nou pou n obeyi lòd tribinal la/manda a sòsi ou kab prezante yon papye tenbre legal ki sòti nan yon tribinal, ki defann pou soumèt dosye yo. Yon lèt, yon kout fil ou, osnon yon kout fil avoka w pou fè demann la oubyen ban nou lòd pou n pa soumèt dosye yo pap ase.

Si m kab ede w nan zafè sa a, silvouplè kontakte m nan _____.

Ak Senserite,

Direktè/tris

Miami-Dade County Public Schools
 RECORD OF ACCESS CARD

NAME OF STUDENT _____ DATE OF BIRTH: _____
 (LAST) (FIRST) (MIDDLE)

Name and Title of Person Requesting Access	Reason for Request	Dates	Access Authorized by	Types of Information Released
1.		Request Access		
2.		Request Access		
3.		Request Access		
4.		Request Access		
5.		Request Access		
6.		Request Access		
7.		Request Access		
8.		Request Access		

REQUIRED DISPLAY STATEMENT PARENTS' RIGHT TO ACCESS

**PARENTS' RIGHT TO ACCESS TO STUDENTS'
SCHOOL RECORDS UNDER THE PROVISIONS OF
FEDERAL AND STATE LAW**

1. Parents are guaranteed the right to inspect and review their children's records and to obtain copies of them under The Individuals with Disabilities Act (IDEA) and the Family Educational Rights and Privacy Act of 1974, both federal laws, and Rule 6A-1.09955, Florida State Board of Education Rules.
2. Parents are guaranteed a right of "meaningful" access to copies of their children's records under IDEA. If charging a parent money for reproductions of these records would deny the parents right of meaningful access to such records, the parents should not be charged anything. Therefore, any parents who state that they are unable to pay for copies of their child's records should be provided with copies of all documents requested free of charge.
3. The parents' rights extend to any lawyer, lay person, or advocate whom the parent(s) authorizes to represent them. To release records, the school should obtain a copy of the parent's authorized release of records authorization form, Permission for Release of Records and/or Information From Records, FM- 1867 Rev. (~~10-98~~ 01-99).
4. Attorneys or paralegals from Legal Services of Greater Miami, Inc., who are representing parents, should be given copies free of charge. The parents they represent are indigent since they must meet federal poverty guidelines to be eligible for representation by Legal Services of Greater Miami, Inc. The authorized release of records form is to include the names of said persons.
5. The law states that if a parent would not be deprived of meaningful access by charging a fee for reproductions, the actual cost of producing such copies, not to exceed 15 cents per one sided page or 20 cents for two sided copies, may be charged.
6. Where material in the child's folder contains wording to the effect that to copy such material would be in violation of federal copyright laws, such material is not to be copied. The parent or his/her authorized representative may look at it and may write down notes. If he/she desires a copy, notify the Board Attorney's Office. The Board Attorney's Office will contact the publisher for permission.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

PASSWORD NON-DISCLOSURE STATEMENT

YOUR PASSWORD IS BEING CHANGED DUE TO ITS EXPIRATION OR YOUR REQUEST.

AN INDIVIDUAL PROVIDED ACCESS TO MIAMI-DADE COUNTY PUBLIC SCHOOLS' COMPUTER SYSTEM AGREES THAT UPON THE ASSIGNMENT OF A PERSONAL PASSWORD:

- 1) THE PASSWORD WILL BE KEPT CONFIDENTIAL AND NOT DISCLOSED TO ANYONE.
- 2) DATA ENTERED OR VIEWED WILL ONLY BE USED IN AN OFFICIAL CAPACITY IN THE PERFORMANCE OF DUTIES OUTLINED IN THE INDIVIDUAL'S JOB DESCRIPTION.
- 3) NON-COMPLIANCE WITH THE ABOVE CONDITIONS MAY SUBJECT THE INDIVIDUAL TO DISCIPLINARY ACTION, INCLUDING SUSPENSION OR DISMISSAL.

I AGREE TO THE ABOVE TERMS AND CONDITIONS. ENTER Y OR N ==>

MIAMI-DADE COUNTY PUBLIC SCHOOLS

Third Party Restrictions

To Whom It May Concern:

You are being given information which is confidential and protected under the Family Educational Rights and Privacy Act of 1974. You are not to release this information without obtaining the consent to do so. These records should be destroyed when no longer needed.

Miami-Dade County Public Schools

Directory Information Opt-Out Form

If you do not want Miami-Dade County Public Schools (M-DCPS) to disclose directory information from your child's educational records in accordance with federal law¹, please mark the appropriate statements below and return this form to:

Student's Name _____ Birth Date: _____

ID# _____

- I do not want directory information disclosed from my child's educational records without my prior written consent.
- I do not want my child's name, address, or telephone number disclosed to military recruiters or institutions of higher education without my prior written consent.

I understand that by completing and submitting this form, M-DCPS will restrict the disclosure of this type of information from my child's educational records and that M-DCPS has no further obligation to contact me on a case-by-case basis to request my consent for the disclosure of directory information.

Parent/Guardian Name

Signature

Date

¹The Family Educational Rights and Privacy Act (20 U.S.C. § 1232 g.), Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. No. 107-110), and the National Defense Authorization Act for Fiscal Year 2002, (P.L. 107-107) U.S.C. 503, as amended by Section 544.

Escuelas Públicas del Condado Miami-Dade

Formulario para Darse de Baja del Directorio

Si usted no desea que las Escuelas Públicas del Condado Miami-Dade (M-DCPS) revelen el expediente de su hijo/a en el directorio (de acuerdo a la ley federal¹), por favor, rellene a continuación la información apropiada y devuelva este formulario a:

Nombre del estudiante _____ Fecha de nacimiento _____

Numero de estudiante _____

- No deseo que se revele en el directorio el expediente de mi hijo/a sin mi previo consentimiento escrito.
- No quiero que se dé a conocer el nombre de mi hijo, la dirección o el número de teléfono a los reclutadores del servicio militar o de instituciones docentes sin mi previo consentimiento escrito.

Entiendo que al completar y entregar este formulario, las escuelas del Condado Miami-Dade restringirán la emisión de esta clase de información y que M-DCPS no tiene la obligación de contactarme para requerir mi permiso con el fin de emitir información del expediente académico de mi hijo/a.

Nombre del Padre/Tutor

Firma

Fecha

1 Ley de los Derechos de la Familia y la Privacidad o FERPA (20 U.S.C. § 1232 g.), Sección 9528 de la Ley de Educación Primaria y Secundaria (20 U.S.C. § 7908), tal como fue enmendada por la Ley Que Ningún Niño Quede Atrás de 2001 (P.L. No. 107-110), y la Ley de Autorización a la Defensa Nacional del Año Fiscal 2002, (P.L. No. 107-107), U.S.C. 503, tal como se enmendó en la Sección 544.

Lekòl Leta Miami-Dade County

Fòm pou pa Soumèt Enfòmasyon Jeneral

Si w pa vle Lekòl Leta Miami-Dade County (M-DCPS) bay enfòmasyon jeneral ki nan dosye edikasyonèl pitit ou dapre lwa federal,¹ silvouplè make nan plas apwopriye anba a e retounen fòm sa a bay:

Non Elèv la _____ Dat Fèt li: _____

Numero identite elèv la _____

- Mwen pa vle yo bay enfòmasyon jeneral ki nan dosye edikasyonèl pitit mwen an san mwen pa bay konsantman mwen alekri.
- Mwen pa vle yo bay rekritè pou militè, oubyen enstitisyon edikasyon apre lekòl segondè nòn, adrès, oubyen nimewo telefòn pitit mwen san konsantman mwen.

Mwen konnen nan ranpli e remèt fòm sa a, M-DCPS ap limite pou li soumèt kalite enfòmasyon sa yo ki nan dosye edikasyonèl pitit mwen an e Lekòl Leta Miami-Dade County (M-DCPS) pap gen okenn obligasyon pou kontakte m sou yon baz ka-pa-ka pou mande konsantman mwen pou bay enfòmasyon jeneral sou pitit mwen an.

Non Paran/Gadyen

Siyati

Dat

¹Akò Dwa ak Vi Prive Edikasyonèl Fanmi (20 U.S.C. & 1232 g.), Seksyon 9528 nan Akò Lekòl Primè ak Lekòl Segondè (20 U.S.C. 7908), jan amannman nan Akò Pa Kite Okenn Timoun Dèyè pou 2001 an (P.L. No.107-110), e Akò Otorizasyon Defans Nasyonal pou Ane Fiskal 2002, (P.L. 107-107), U.S.C. 503, jan yo amande li nan Seksyon 544 la.

The School Board of Miami-Dade County, Florida adheres to a policy of nondiscrimination in employment and educational programs/activities and strives affirmatively to provide equal opportunity for all as required by:

Title VI of the Civil Rights Act of 1964 - prohibits discrimination on the basis of race, color, religion, or national origin.

Title VII of the Civil Rights act of 1964, as amended - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin, for programs or activities receiving Federal financial assistance from the Department of Education.

Title IX of the Educational Amendments of 1972 - prohibits discrimination on the basis of gender.

Age Discrimination in Employment Act of 1967 (ADEA), as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40.

The Equal Pay Act of 1963, as amended - prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against the disabled.

Americans with Disabilities Act of 1990 (ADA) - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.

The Family and Medical Leave Act of 1993 (FMLA) - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

The Pregnancy Discrimination Act of 1978 - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.

Florida Educational Equity Act (FEEA)- prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

Florida Civil Rights Act of 1992 - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

The School Board Rules 6Gx13-4A-1.01, 6Gx13-4A-1.32, and 6Gx13-5D-1.10 - prohibit harassment and/or discrimination against a student or employee on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, pregnancy, or disability.

Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 205.07 (Florida Statutes), which stipulate categorical preferences for employment.

REVISED 06/19/02