

Ava Byrne, Associate Superintendent
Professional Development and Educational Services

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

COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY ENGAGEMENT

**LINK TO DISTRICT
STRATEGIC PLAN: GENERAL OPERATIONS**

This item is submitted for consideration by the Board to amend School Board Rule 6Gx13- 5B-1.07, Student Records, and the document, *Student Educational Records*, incorporated therein by reference and made part of the rule. Proposed revisions to the *Student Educational Records* document are intended to bring the rule into compliance with recent legislative changes. In particular, in accordance with statutory guidelines, the amended document incorporates provisions aimed at facilitating access to student information for representatives from select agencies that directly support M-DCPS students and schools. The amended *Student Educational Records* document also includes the following proposed revisions:

- reclassification of the Record Access Card to Category A–Permanent Information;
- redesigned Opt Out form; and
- streamlined opt out process with subsequent year carry over.

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

Copies of the *Student Educational Records* document will be forwarded to the School Board Members under separate cover and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and the Citizens Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Authorization of the School Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of School Board Rule 6Gx13- 5B-1.07, Student Records.

C-103

There is no additional cost to the District associated with this item.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend School Board Rule 6Gx13- 5B-1.07, Student Records, and the document, *Student Educational Records*, which is incorporated by reference and made part of the rule.

AGB/DAM:bm

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on September 10, 2008, its intention to amend Board Rule 6Gx13- 5B-1.07, Student Records, and the document, *Student Educational Records*, which is incorporated by reference and made part of this rule, at its meeting of October 15, 2008.

PURPOSE AND EFFECT: The purpose of the amendment is to incorporate recent legislative changes in the *Student Educational Records* document.

SUMMARY: The *Student Educational Records* document, which is incorporated in the rule by reference and is made part of the rule, has been amended to provide updated forms and procedures relating to the "Opt Out" process restricting release of directory information. In addition, the document reflects updated information relating to maintenance of permanent records and it incorporates a new section addressing access to student information for select agencies designated as "Other School Officials".

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41 (1)(2); 1001.42(23); 1001.43(10) F.S.

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

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF October 15, 2008, 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 October 6, 2008, 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 at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Ms. Ava Byrne
Supervisor: Dr. Rudolph F. Crew
Date: August 27, 2008

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 Board Recording Secretary, and the Citizen Information Center. Additionally, a copy shall be available at each ACCESS Regional Center for inspection.

Specific Authority: 1001.41(1)(2); 1001.42(~~22~~)(23); 1001.43(10) F.S.
Law Implemented, Interpreted, or Made Specific: 61.13(2)(b)3; ~~449.044~~; 1002.42(3);
1002.22; 1001.43; 1001.52; 1008.23 F.S.; 20 USC §1232-g; 6A-1.0955 FAC

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; 8-20-03