

STUDENT RECORDS: TRANSFER, RETENTION AND DISPOSAL

POLICY 5100.2 DEFINES THE PROCESS FOR TRANSFERING, RETAINING AND DISPOSING OF STUDENT RECORDS. POLICY 5100.1 DEFINES STUDENT RECORDS, DESCRIBES PARENTS' AND STUDENTS' RIGHTS RELATED TO EDUCATIONAL RECORDS, PROVIDES DIRECTION REGARDING THE PROCESS FOR REVIEWING AND AMENDING EDUCATIONAL RECORDS, INDICATES WHEN WRITTEN CONSENT IS NEEDED PRIOR TO RELEASING INFORMATION, AND SPECIFIES THE RECORD KEEPING REQUIREMENTS RELATED TO RECORD REQUESTS AND DISCLOSURES.

AUTHORITY: U.S. CODE (20 USC 1232G)
CFR FOR TITLE 34, PART 99
F.S. 119.07 and F.S. 1001.41
F.S. 1002.22

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RULES

I. TRANSFER OF EDUCATIONAL RECORDS TO SCHOOLS IN WHICH A STUDENT SEEKS TO ENROLL:

A. Procedures for Requests to Transfer Records

Educational records are defined in Policy 5100.1. Psychological and ESE files are considered part of a student's records and shall be transferred in the same manner as other student records. (See item I.C. regarding transfer of school safety team screening/assessment records.)

Requests to transfer student records, received from other schools or post-secondary institutions in which a student seeks or intends to enroll, regardless of whether that institution is public or private, must be honored in a timely manner. The transfer of records shall not be delayed for non-payment of a fee or fine assessed by the school.

Prior written consent is not required in the following situations:

1. Transfer of Educational Records Within Broward County Public Schools

Records of students withdrawing from one Broward County public school and enrolling in another Broward County public school shall be transferred to the receiving school upon request of the receiving school.

2. Transfer of Educational Records of Promoted Students Within Broward County Public Schools

Records of students promoted from elementary school to middle school or from middle school to high school within Broward County Public Schools shall be transferred to the receiving school.

3. Transfer of Elementary Student Educational Records to Schools That Are Not Broward County Public Schools

Upon receipt of a request for educational records from a school outside the Broward County Public Schools, the transferring principal shall forward the student's educational records to Records Retention for archiving. Records Retention will forward the educational records to the requesting school. Upon request, parents are entitled to the original H680 Certificate of Immunization form. The school shall include a copy of the H680 form with the records forwarded to Record Retention. (See additional procedure for retention of records for transferring ESE students.)

4. Transfer of Middle and High School Student Educational Records to Schools That Are Not Broward County Public Schools

Upon receipt of a request for educational records from a school outside the Broward County Public Schools, the sending principal shall send a copy of the student transcript to the requesting school. Upon request, parents are entitled to the original H680 Certificate of Immunization form. The school shall maintain a copy of the form with the student's records. (See additional procedure for retention of records for transfer ESE students.)

5. Transfer and Retention of Records of Charter School Students

Broward County charter schools are Broward County Public Schools, and the transfer and retention of records for charter school students shall be handled in the same manner as for other public school students.

B. Disposition of Educational Records for Promoted Students Who Do Not Enroll in the School To Which They Were Promoted

Records of students who fail to enroll in the middle school or high school to which they are promoted shall be returned in October of each school year to the school last attended in Broward County. If a request for student records is received from a school outside of the Broward County Public Schools for one of the students who has not enrolled but whose records the school is holding, that school shall be responsible for forwarding the records of that student to the requesting school following the usual procedures for transfer of records.

C. Inclusion of School Safety Team Screening/Assessment Records When Transferring Records

School Safety Team Screening/Assessment Records are considered educational records but are kept in a separate file maintained by an administrator designated by the principal. For students transferring within the district or changing schools due to promotion, the sending school's principal/designee shall forward the School Safety Team Screening/Assessment records to a corresponding administrator at the receiving school. These records shall not be transferred as part of the cumulative file.

Upon receipt of an official request for educational records from a school outside of the Broward County Schools, the sending school principal shall contact the receiving school's principal to alert the receiving principal that there are School Safety Screening/Assessment records. These records shall be transferred to the receiving school's

principal (or designee). These records shall not be transferred as part of the cumulative file.

D. Additional Source of Information Related to Educational Record Transfers

Detailed procedures for educational records transfers can be found in the “Procedures Handbook: Student Enrollment and School Education Records” available through the District Guidance Department.

II. RETENTION AND DISPOSAL OF EDUCATIONAL RECORDS

A. Retention of Records for Students Who Leave Broward County Public Schools and For Whom No Request for Educational Records is Received

After five years, the educational records will be requested by and forwarded to Records Retention for archiving and to be incorporated into the permanent Student Record Library. The archived copy of the student’s record shall then constitute the permanent record.

B. Additional Procedure Related to Retention of Records of PreK-12 ESE Students Transferring to a School That Is Not a Broward County Public School

In addition to the procedures established for the records of all prekindergarten through twelfth grade students, the following procedure must be implemented for students evaluated for, or enrolled in, ESE programs: When an exceptional student (or a student who has been determined to be ineligible as an ESE student) graduates, transfers out of the ESE program, or transfers to a school outside the Broward County Public Schools, the information documenting the student’s eligibility for and placement in exceptional student education must be copied and retained for five years by the school for audit purposes. After five years, the student’s educational records will be requested by and forwarded to Records Retention for archiving and to be incorporated into the permanent Student Record Library. The archived copy of the student’s record shall then constitute the permanent record.

Records to be retained include:

- Eligibility Forms
- Psychological and/or other assessment reports used to determine eligibility

C. Retention of Teachers’ Grade Books

Teachers’ grade books shall be retained by schools as part of their student record system for three years or until the completion of the FTE audit covering that year, after which time Record Retention will authorize the destruction of the grade books under the supervision of the principal.

D. Retention of Examinations

Principals with middle school and high school students shall make provisions for storing and maintaining semester exams for a minimum period of one year following the date of examination.

E. Source of Additional Procedural Information Related to Educational Records Retention

Record retention procedures are available on Record Retention’s website. Additional procedures and/ or clarification can be obtained from Records Retention.