

Cleveland Public Schools
Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that affords parents and “eligible students” over 18 years of age certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days from the day the district receives a request for access.

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

2. The right to request correction of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights.

Parents or eligible students may ask the district to amend a record they believe is inaccurate, misleading or otherwise in violation of the student's privacy rights. They must submit a written request to the school principal or appropriate school official, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading or otherwise in violation of the student's privacy rights.

If the district decides not make changes in the record as requested, the district must notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for correction. Additional information about hearing procedures will be provided to the parent or eligible student at the time of this notification.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (34 CFR § 99.31).

School officials with legitimate educational interests are permitted disclosure without consent. A school official is 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; a person serving on the board; a person or company with whom the district has contracted to perform a special task, such as an attorney, auditor, medical consultant or therapist; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

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

Upon request, the district will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.

School districts may disclose, without consent, “directory” information; however, the district must inform parents and eligible students about directory information, allowing them a reasonable amount of time to request that the district not disclose directory information about that student.

School districts must notify parents and eligible students annually of their rights under FERPA by means of a special letter, inclusion in a Parent/Teacher Association (PTA) bulletin, student handbook and/or other means left to the discretion of each school district.

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901

Cleveland Public Schools
Directory Information Notice

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the district, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA) of 2015 to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. Directory information will not be released to outside organizations for commercial or non-commercial purposes.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the superintendent in writing. The district has designated the following information as "directory information," and it will disclose that information without prior written consent:

1. The student's name;
2. The student's address;
3. The student's telephone listing;
4. The student's date and place of birth;
5. The student's dates of attendance;
6. The student's grade level (i.e., first grade, tenth grade, etc.);
7. The student's participation in officially recognized activities and sports;
8. The student's degrees, honors and awards received;
9. The student's weight and height, if a member of an athletic team;
10. The most recent educational agency or institution attended;
11. The student's photograph; and
12. The student's electronic mail address.

No parent or eligible student can opt out of the requirement that a student wear his or her ID badge which shows the student's school ID number.

**Cleveland Public Schools
Agreement for Receipt of
Records Containing Personally Identifiable Information**

Name of Entity Receiving Records: _____

Authorized Representative: _____

Activity or research being conducted which necessitates the disclosure of records:

Records to be disclosed:

Personally identifiable information contained in disclosed records:

Initials

_____ I acknowledge that the records being released to me contain personally identifiable information regarding a student of the school district.

_____ I agree, as a representative of _____
_____ that this information will not be re-disclosed.

_____ I further agree, as a representative of _____
_____ that this information will be destroyed on or before _____
_____. The method of destruction will be: _____
_____.

I certify that I am an authorized representative of: _____

On behalf of the entity, I agree to abide by the terms and conditions set forth in this agreement.

Signature

Date

Cleveland Public Schools
Public Record Access Request

TO: CLEVELAND SCHOOL DISTRICT

1. Pursuant to the Oklahoma Open Records Act, the undersigned hereby requests access to the following school district records:

[Describe records as specifically as possible; attach additional sheets if necessary.]

2. The undersigned requests access to the foregoing records for the following purpose:

3. If paper copies of the documents are requested, the undersigned agrees to pay \$ _____ per page for copies. If a search is necessary to furnish the documents, if this request is solely for commercial purposes, or if this request would cause excessive disruption of the district's essential functions, the undersigned agrees to pay a search fee of \$____per hour.

4. If electronic data is requested, the undersigned agrees to pay \$ _____ per hour for document searches and \$____ per page for each converted document (TIFF or PDF) produced. The undersigned also agrees to pay any direct costs the district incurs in order to respond to the requestor's request for electronic information.

5. The undersigned is acting as representative or agent for _____

TO BE COMPLETED BY
REQUESTOR:

(Print name)

(Signature)

(Address)

(Phone number)

(Date)

TO BE COMPLETED BY CLEVELAND
SCHOOL DISTRICT:

Received by Cleveland School District

(Employee Name)

(Date)

Record Request No. _____

School District Records Retention Plan

Warning: If a record pertains to ongoing or anticipated litigation, do not destroy it!
Records need not be maintained in original form unless a claim or lawsuit is suspected.

Student Records

Record	Retention Period	Reference
Transcripts Includes: name, address, phone, birth date/place, courses (with grades), GPA and/or class rank May include: academic & extracurricular honors & awards, degrees, extracurricular or after-school activities	80 years from student's last date of enrollment	70 O.S. § 24-114.C
Screening results (from a regional education service center)	Must destroy when information no longer needed or when student turns 18, whichever is earlier	70 O.S. § 1210.277
Records of access	5-7 years from student's last date of enrollment	20 U.S.C. § 1232g (b)(4)(A) 70 O.S. § 24-114.D
Special education records	5 years from student's last date of special education services, with 60 day notice to parents or student	
All other student records	5-7 years from student's last date of enrollment	70 O.S. § 24-114.D

Teacher Records

Record	Retention Period	Reference
Grade and plan books	Recommended: keep until no longer needed	
Incident / anecdotal notes	Recommended: keep 5 years	

Board Records

Record	Retention Period	Reference
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Agendas and minutes	Permanent	25 O.S. § 312
Real property deeds and titles	Recommended: permanent	

Payroll Records

Record	Retention Period	Reference
Payroll statements and affidavits	Permanent	62 O.S. § 304.1(C)
Payroll records of non-exempt employees, including: 1. Full name; 2. Social Security number; 3. Identifying symbol or number used on payroll records in place of name; 4. Home address, including zip code; 5. Date of birth, if under 19; 6. Sex and occupation in which employed 7. Time of day and day of week in which an employee's work week begins or the starting time and length of each employee's work period; 8. Regular hourly rate of pay for any work week in which overtime compensation is due, including the basis of the pay by showing the amount paid per hour, per day, per week, or other basis; 9. Hours worked each work day and total hours worked each work week; 10. Total daily or weekly straight-time earnings or wages due for hours worked during the work day or work week, exclusive of overtime; 11. Total pay for overtime hours; 12. Total additions or deductions from wages paid each pay period; 13. Total wages paid each pay period; 14. Date of payment and wages and pay period covered by those wages; and, 15. If retroactive payment of wages is made, the employer must record and preserve as an entry on pay records the amount of payment to each employee, the	3 years	29 C.F.R. § 516.2 29 C.F.R. § 516.5

period covered by the payment, and the date of the payment		
Payroll records of bona fide executive, administrative, or professional employees, including all records containing the information in items 1 – 7 and 12 – 15 above, plus the basis on which wages are paid, fringe benefits, and any prerequisites for pay or benefits	3 years	29 C.F.R. § 516.3 29 C.F.R. § 516.5
Collective bargaining agreements	3 years	29 C.F.R. § 516.5
Employment contracts	3 years	29 C.F.R. § 516.5
Certificates of employment	3 years	29 C.F.R. § 516.5
Sales and purchase records (not related to real property)	3 years	29 C.F.R. § 516.5
Basic employment and earnings records, including time sheets	2 years	29 C.F.R. § 516.6
Wage rate tables	2 years	29 C.F.R. § 516.6
Order, shipping, and billing records	2 years	29 C.F.R. § 516.6
Records of additions to or deductions from wages paid	2 years	29 C.F.R. § 516.6

General Employment Records

Record	Retention Period	Reference
Personnel records, including: 1. Requests for accommodation 2. Applications & records related to hiring 3. Evaluations 4. Admonishments and reprimands 5. Supervisor anecdotal notes 6. Sick leave records	2 years from the conclusion of the employee's employment	29 C.F.R. § 1602.40
Personnel or employment records relating to a charge of discrimination	Through the final disposition of the charge	29 C.F.R. § 1602.40

Drug / Alcohol Testing Records

Record	Retention Period	Reference
Employee drug and alcohol testing record obtained from Department of Transportation regulated employees	3 years from date employee first performs safety-sensitive duties	49 C.F.R. § 40.25(i)
Results of employee alcohol test indicating alcohol concentration of .02 or greater	5 years	49 C.F.R. § 40.333
Results of positive employee drug test	5 years	49 C.F.R. § 40.333
Documentation of an employee's refusal to take a drug and alcohol test (including substituted or adulterated test results)	5 years	49 C.F.R. § 40.333
SAP reports	5 years	49 C.F.R. § 40.333
Follow up tests /schedules for follow up tests	5 years	49 C.F.R. § 40.333
Negative drug and alcohol test results	1 year	49 C.F.R. § 40.333
Information on drug and alcohol tests obtained from previous employers	3 years	49 C.F.R. § 40.333
Records of inspection, maintenance, and calibration of evidential breath testing apparatuses	2 years	49 C.F.R. § 40.333

Financial Records

Record	Retention Period	Reference
Financial records, including claims, warrants, contracts, purchase orders, and any other financial records or documents – except those from competitively bid projects	5 years	51 O.S. § 24A.4 70 O.S. § 5-122
Records related to the Competitive Bidding Act, including both successful and unsuccessful bids and all resulting contracts and required bonds	5 years from the date of opening bids or 3 years from the date of completion of the contract, whichever is longer	61 O.S. § 112
Activity fund records	5 years	70 O.S. § 5-122
Report of an audit conducted pursuant to	5 years	70 O.S. § 22-108(B)

the Oklahoma Public School Audit Law		
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Federal and State Programs

Record	Retention Period	Reference
Records pertaining to federal funds, including records disclosing amount and disposition of funds, total cost of activity, share of cost from non-federal sources, and other records that would facilitate an audit	3 years after the completion of the activity for which the funds were used	20 U.S.C. § 1232f(a)
Records pertaining to federal funds which are the subject of litigation, claim, negotiation, or audit ongoing at end of three year retention period	Keep until the issue is resolved	34 C.F.R. § 80.42
Records pertaining to the National School Lunch Program	3 complete, prior school years	7 C.F.R. § 210.20 (b) (12)

NAME
ADDRESS
ADDRESS

Re: Destruction of Education Records

Dear Parent / Student:

In response to the mandates contained in OKLA. STAT. tit. 70 § 24-114.D please be advised that the district will destroy STUDENT NAME's non-transcript education records on DATE, which is at least 30 days after this notice is being sent. However, instead of having the records destroyed you may pick up the records on or before the destruction date at the district's SITE / ADDRESS.

OPTION 1: For records stored in hard copy

These records are maintained as paper copies and there is no charge for you to pick up the records if you want them. You may also request that these records be mailed to you. Retrieving the records by mail requires advance payment of postage costs. Contact NAME / NUMBER to determine the amount of postage to remit.

OPTION 2: For records stored electronically

These records are stored electronically and a copy charge will be assessed in accordance with the district's posted fee schedule prior to releasing records if you want them. You may also request that these records be mailed to you. Retrieving the records by mail requires advance payment of postage costs and copy costs. Contact NAME / NUMBER to determine the fees associated with your request for records.

Again, this notice is being sent to you to fulfill the mandates of Oklahoma law regarding routine student record destruction. No action is required on your part unless you wish to retrieve the records prior to their destruction.

Sincerely,

Name