
From: Staton, Jennifer A
Sent: Thursday, February 18, 2021 10:20 AM
To: Danae.Bucci@hearst.com
Cc: Bruder-Brasseur, Candace L
Subject: RE: MEDIA REQUEST: FOIA
Attachments: FERPA Exceptions_HANDOUT_portrait.pdf

Ms. Bucci-

Upon our receipt from you of the deposit referenced below, the District will make public records responsive to this request available to you under the FOIA, §30-4-30, subject to the exemption and redaction of records that are exempt from disclosure pursuant to the FOIA, including §§ 30-4-40(a) (2), (4), (5), and (7) and (13). The District is also unable to produce confidential student educational records, as they are protected from disclosure under the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g.

The search query for your first two requests returned 536,165 emails. In accordance with S.C. Code Ann. 30-4-30(B), the BCSD estimates search, retrieval, and redaction, if necessary, of documents to respond to your request will require 2,681 hours, for an estimated cost of \$107,555, plus 6 cents per copy. If we estimate 2 pages per email copying charges will be \$64,340. Costs may increase or decrease. A 25% deposit of the total reasonably anticipated cost is required before work will begin on your request. Please make all checks out to the Beaufort County School District and send to my attention.

Please consider narrowing your request to be more specific to include information about each record sought, such as the date, title or name, author, recipients, and subject matter of the records and resubmit your request.

Regarding your third request, we currently extract the information that can be made public and post it on the BCSD website. At the elementary or secondary level, a student's health records, including immunization records, maintained by an educational agency or institution subject to FERPA, as well as records maintained by a school nurse, are "education records" subject to FERPA. At the elementary or secondary school level, students' immunization and other health records that are maintained by a school district or individual school, including a school-operated health clinic, that receives funds under any program administered by the U.S. Department of Education are "education records" subject to FERPA, including health and medical records maintained by a school nurse who is employed by or under contract with a school or school district. Some schools may receive a grant from a foundation or government agency to hire a nurse. Notwithstanding the source of the funding, if the nurse is hired as a school official (or contractor), the records maintained by the nurse or clinic are "education records" subject to FERPA. Parents have a right under FERPA to inspect and review these health and medical records because they are "education records" under FERPA. See 34 CFR §§ 99.10 – 99.12. In addition, these records may not be shared with third parties without written parental consent unless the disclosure meets one of the exceptions to FERPA's general consent requirement. Attached is a summary of FERPA exemptions of which media is not included.

Jennifer Staton, MS, CSP
Risk Manager
Beaufort County School District
843-322-2355 | Fax: 843-322-2389



From: Bucci, Danae <Danae.Bucci@hearst.com>
Sent: Tuesday, February 9, 2021 6:37 PM
To: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>
Cc: Bruder-Brasseur, Candace L <Candace.Bruder-Brasseur@beaufort.k12.sc.us>
Subject: RE: MEDIA REQUEST: FOIA

Hello Jennifer,

Here are some keywords the technology staff can use:

- CARES act
- Federal funding
- In person learning
- Face to face learning
- CARES act funding
- School funding
- Federal school funding
- Department of education
- Education stabilization fund
- ESSER Fund
- CARES Act funding application

As far as the COVID-19 case reporting, I don't need names for positive cases and then subsequent quarantine. I was just looking for the number of cases and quarantines directly from nursing staff records rather than the school website. I do not believe this information is a HIPAA or FERPA violation and is not exempt from release. If you are able to direct me to a law that says it is that would be great.

Thanks,
Danae

From: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>
Sent: Tuesday, February 9, 2021 4:12 PM
To: Bucci, Danae <Danae.Bucci@hearst.com>
Cc: Bruder-Brasseur, Candace L <Candace.Bruder-Brasseur@beaufort.k12.sc.us>
Subject: [EXTERNAL] RE: MEDIA REQUEST: FOIA

Ms. Bucci-

Regarding your first two requests,

1. All emails, or other correspondence, between Beaufort County School District staff pertaining to CARES Act funding for the 2019-2020 and 2020-2021 school years, and
2. All emails, or other correspondence, between Beaufort County School District staff pertaining to returning to 100% in person learning for the 2021 semester,

please supply the key words or phrases you wish our Technology staff to use as search terms when querying our email system. Regarding your third request, "All records from nursing staff at each Beaufort County school pertaining to the number of positive COVID-19 cases and subsequent quarantines" those records will be exempt from release due to numerous federal laws, most specially FERPA and HIPAA. We are posting on our [Covid-19 Dashboard](#) daily, and you can find information regarding Covid-19 for staff and students there.

Jennifer Staton, MS, CSP
Risk Manager
Beaufort County School District
843-322-2355 | Fax: 843-322-2389

From: Bucci, Danae <Danae.Bucci@hearst.com>
Sent: Monday, February 1, 2021 12:03 PM
To: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>
Subject: MEDIA REQUEST: FOIA

WARNING: This email originated from outside of Beaufort County School District's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Jennifer,

My name is Danae Bucci and I'm a reporter for WJCL. I have attached a FOIA I would like to submit to the school district.

Please let me know what you think the timeline would be to receive these documents and if you have any questions!

Thanks,
Danae

Danae Bucci

WJCL 22 News Reporter
(w) (912)547-4122
(c) (808)499-5940
Danae.Bucci@hearst.com