Mississippi
Cumulative Folders
and
Permanent Records
Manual of Directions
FERPA Attachment

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TABLE OF CONTENTS

Acknowledgements……v

Preface.....vi

Section I Mississippi Law.....7

A. MS Code 37-15-1

B. MS Code 37-15-2

C. MS Code 37-15-3

D. MS Code 37-15-7

E. MS Code 37-15-9

F. MS Code 41-23-37

Section II The Cumulative Folder.....14

A. Purpose of the cumulative folder

B. Required information in the cumulative folder

C. Individual responsible for the cumulative folder

D. Access to cumulative folders

E. Requesting the cumulative folder

F. Transferring the cumulative folder

G. Storage of the cumulative folder

H. Destroying the cumulative folder

I. Recording of data on the cumulative folder

J. Making corrections or covering up labels on the cumulative folder

K. Maintenance of cumulative folders when a school closes

Section III Recording Information on the Cumulative Folder.....18

A. Personal and Family Data

B. Entrance Record

C. Withdrawal Record

D. Record of Transfer

E. Attendance Record

F. Standardized Test Record – Elementary and Secondary

G. Elementary School Progress (Grades Pre-K to 6)
H. Significant Facts
I. Immunization Certificate of Compliance
J. Medical Information
K. Secondary School Progress (Grades 7-12)
L. Additional Form for Recording Data

Section IV The Permanent Record 27
A. Purpose of the permanent record
B. Storage of the permanent record
C. Maintenance of the permanent record when a student transfers
D. Maintenance of the permanent record when a student graduates
E. Individual responsible for the preservation of the permanent record
F. Microfilming, photographing, or scanning of the permanent record
G. Maintenance of permanent records when a school closes

Section V Recording Information on the Permanent Record.....29
A. Personal and Family Data
B. Entrance Record
C. Withdrawal Record
D. Record of Transfer
E. Elementary School Progress (Grades Pre-K to 6)
F. Secondary School Progress (Grades 7-12)
G. Attendance Record
H. Immunization Certificate of Compliance
I. Medical Information
J. Summary of High School Units
K. Graduation Facts
L. Transcript of High School Record
M. Record of Tests

Section VI Federal Rule on Education Records.....38
Appendix A Court Case……...75
Appendix B State Codes.……76

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PREFACE

Student records are collected, maintained, and disseminated as required by Sections 37-15-1 through 37-15-3, *Mississippi Code of* 1972, as amended, the Family Educational Rights and Privacy Act of 1974, as amended, 20 USC Section 1231, and the Confidentiality Section of the *Individuals with Disabilities Act, 1997 Amendments*.

This manual has been prepared for the use by administrators, counselors, teachers, and other authorized staff in the schools of Mississippi and is to be used as a guide in completing the cumulative folders and permanent records as required by Mississippi law. Sections I and VI include the pertinent State and Federal education laws. Sections II, III, IV, and V provide specific information concerning the completion and use of the cumulative folder and permanent record.

Copies may be downloaded from the Mississippi Department of Education's web site: http://www.mde.k12.ms.us/ACAD/ID/Curriculum/Curr.htm.

SECTION I
MISSISSIPPI LAW REQUIRES CUMULATIVE FOLDER AND PERMANENT RECORD

The law requiring the cumulative folder and the permanent record has been in effect since July 1, 1954.

A. Maintenance of permanent records and cumulative folders for pupils; requirement of certified birth certificate or other evidence of age [MS Code 37-15-1]

The State Board of Education shall prepare and provide necessary forms for keeping permanent records and cumulative folders for each pupil in the public schools of the state. In the permanent record and cumulative folders, the teachers and principals shall keep information concerning the pupil's date of birth, as verified by the documentation authorized in this section, record of attendance, grades and withdrawal from the school, including the date of any expulsion from the school system and a description of the student's act or behavior resulting in the expulsion. The records also shall contain information pertaining to immunization and such other information as the State Board of Education may prescribe. The cumulative folder, in addition to that information maintained in the permanent records, also shall contain such other information as the State Board of Education shall prescribe. It shall be the responsibility of the person in charge of each school to enforce the requirement for evidence of the age of each pupil before enrollment. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

(a) A certified birth certificate;

(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by a parent, grandparent or custodian;

(c) An insurance policy on the child's life which has been in force for at least two (2) years;

(d) A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent, grandparent or custodian;

(e) A passport or certificate of arrival in the United States showing the age of the child;

(f) A transcript of record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth; or

(g) If none of these evidences can be produced, an affidavit of age sworn to by a parent, grandparent or custodian. Any child enrolling in Kindergarten or Grade I shall present the required evidence of age upon enrollment. Any child in Grades 2 through 12 not in compliance at the end of sixty (60) days from enrollment shall be suspended until in compliance.

SOURCES: Codes, 1942, Sec. 6225-01; Laws, 1953, Ex Sess, ch. 24, Sec. 1; 1974, ch. 451, Sec. 1; 1980, ch. 424, Sec. 1; 1989, ch. 511, Sec. 1; 1990, ch. 535, Sec. 1; 1995, ch. 480, Sec. 1; Laws, 2002, ch. 557, § 1, SB 2225; Laws, 2003, ch. 416, § 6, HB 744, eff from and after June 30, 2003.

B. Storage of permanent records [MS Code 37-15-2]

The permanent record provided for in Section 37-15-1 shall be kept, while it is active, in the attendance center office in a fire resistant container.

The permanent record shall be considered active: (a) if the student is enrolled in the school; or (b) if he has withdrawn or has been expelled and students of the class of which he was a member shall not have reached the time of graduation.

At the point of the student's graduation or at the time when the student would normally have graduated had he not withdrawn or been expelled from school, the student's permanent record shall become a part of the permanent binder in the central fire resistant depository as designation and provided by the school board of the school

district, or, as an alternative method, the records may be maintained in fire resistant storage at the school last attended by the student. The permanent binding and preservation of the inactive records shall be the duty of the superintendent of the school district who shall maintain a central depository of the records.

SOURCES: Laws, 1974, ch. 451 Sec. 2; 1980, ch. 424, Sec. 2; 1986, ch. 492, Sec. 88; 1995, ch. 480, Sec. 2, eff from and after July 1, 1995

C. Storage of cumulative folders; access to records; disposition of records upon transfer of students between schools; destruction of records [MS Code 37-15-3]

Such cumulative folders as are provided for in Section 37-15-1 shall be kept in the school wherein the pupils are in attendance. Both the permanent records and the cumulative folders shall be available to school officials, including teachers within the school district who have been determined by the school district to have legitimate educational interests. In no case, however, shall such records be available to the general public. Transcripts of courses and grades may be furnished when requested by the parent or guardian or eligible pupil as prescribed in the Family Educational Rights and Privacy Act of 1974, as amended, 20 USC Section 1232. Such records shall be kept for each pupil throughout his entire public school enrollment period. In the event a pupil transfers to a public school, then the cumulative folder shall be furnished to the head of the school to which the pupil transfers; if a pupil transfers to a private school, then a copy of the cumulative folder shall be furnished to the head of the school to which the pupil transfers. The permanent record shall be kept permanently by the school district from which the pupil transferred.

At no time may a permanent record of a student be destroyed, but cumulative folders may be destroyed by order of the school board of the school district in not less than five (5) years after the permanent record of the pupil has become inactive and has been transferred to the central depository of the district. Provided, however, that where a school district makes complete copies of inactive permanent records on photographic film or microfilm which may be reproduced as needed, such permanent records may be

destroyed after the photographic film or microfilm copy has been stored in the central depository of the district.

SOURCES: Codes, 1942, Sec. 6225-02; Laws, 1953, Ex Sess, ch. 24, Sec. 2; 1954, ch. 266; 1974, ch. 451, Sec. 3; 1980, ch. 424, Sec. 3; 1986, ch. 492, Sec. 89; 1995, ch. 480, Sec. 3, eff from and after July 1, 1995

D. Maintenance of continuing census [MS Code 37-15-7]

In addition to the cumulative records provided for in section 37-15-1, there shall be kept a continuing census of all children below the age of nineteen within each school district. Such record shall be kept as a part of the permanent office records of the superintendent of the district.

SOURCES: Codes, 1942 6225-04; Laws, 1953, Ex Sess, ch. 24, 4 eff from and after July 1, 1954.

E. Requirements for enrollment of children in public schools [MS Code 37-15-9]

(1) Except as provided in subsection (2) and subject to the provisions of subsection (3) of this section, no child shall be enrolled or admitted to any kindergarten which is a part of the free public school system during any school year unless such child will reach his fifth birthday on or before September 1 of said school year, and no child shall be enrolled or admitted to the first grade in any school which is a part of the free public school system during any school year unless such child will reach his sixth birthday on or before September 1 of said school year. No pupil shall be permanently enrolled in a school in the State of Mississippi who formerly was enrolled in another public or private school within the state until the cumulative record of the pupil shall have been received from the school from which he transferred. Should such record have become lost or destroyed, then it shall be the duty of the superintendent or principal of the school where the pupil last attended school to initiate a new record.

(2) Subject to the provisions of subsection (3) of this section, any child who transfers from an out-of-state public or private school in which that state's law provides for a first-grade or kindergarten enrollment date subsequent to September 1, shall be allowed to

enroll in the public schools of Mississippi, at the same grade level as their prior out-of-state enrollment, if:

(a) The parent, legal guardian or custodian of such child was a legal resident of the state from which the child is transferring;

(b) The out-of-state school from which the child is transferring is duly accredited by that state's appropriate accrediting authority;

(c) Such child was legally enrolled in a public or private school for a minimum of four (4) weeks in the previous state; and

(d) The superintendent of schools in the applicable Mississippi school district has determined that the child was making satisfactory educational progress in the previous state.

(3) When any child applies for admission or enrollment in any public school in the state, the parent, guardian or child, in the absence of an accompanying parent or guardian, shall indicate on the school registration form if the enrolling child has been expelled from any public or private school or is currently a party to an expulsion proceeding. If it is determined from the child's cumulative record or application for admission or enrollment that the child has been expelled, the school district may deny the student admission and enrollment until the superintendent of the school, or his designee, has reviewed the child's cumulative record and determined that the child has participated in successful rehabilitative efforts including, but not limited to, progress in an alternative school or similar program. If the child is a party to an expulsion proceeding, the child may be admitted to a public school pending final disposition of the expulsion proceeding. If the expulsion proceeding results in the expulsion of the child, the public school may revoke such admission to school. If the child was expelled or is a party to an expulsion proceeding for an act involving violence, weapons, alcohol, illegal drugs or other activity that may result in expulsion, the school district shall not be required to grant admission or enrollment to the child before one (1) calendar year after the date of expulsion.

SOURCES: Codes, 1942, Sec. 6225-03; Laws, 1953, Ex Sess, ch. 24, Sec. 3; 1976, ch. 390, Sec. 1; 1986, ch. 464; 1987, ch. 315; 1994, ch. 607, Sec. 19; Laws, 2003, ch. 397, § 2, SB 2394, eff from and after July 1, 2003.

F. Immunization practices for control of vaccine preventable diseases; attendance by unvaccinated children [MS Code 41-23-37]

Whenever indicated, the state health officer shall specify such immunization practices as may be considered best for the control of vaccine preventable diseases. A listing shall be promulgated annually or more often, if necessary.

Except as provided hereinafter, it shall be unlawful for any child to attend any school, kindergarten or similar type facility intended for the instruction of children (hereinafter called "schools"), either public or private, with the exception of any legitimate home instruction program as defined in section 37-13-91, Mississippi Code of 1972, for ten (10) or less children who are related within the third degree computed according to the civil law to the operator, unless they shall first have been vaccinated against those diseases specified by the state health officer.

A certificate of exemption from vaccination for medical reasons may be offered on behalf of a child by a duly licensed physician and may be accepted by the local health officer when, in his opinion, such exemption will not cause undue risk to the community.

Certificates of vaccination shall be issued by local health officers or physicians on forms specified by the Mississippi State Board of Health. These forms shall be the only acceptable means for showing compliance with these immunization requirements, and the responsible school officials shall file the form with the child's record.

If a child shall offer to enroll at a school without having completed the required vaccinations, the local health officer may grant a period of time up to ninety (90) days for such completion when, in the opinion of the health officer, such delay will not cause undue risk to the child, the school or the community. No child shall be enrolled without having had at least one (1) dose of each specified vaccine.

Within thirty (30) days after the opening of the fall term of school (on or before October 1 of each year) the person in charge of each school shall report to the county or local health officer, on forms provided by the Mississippi State Board of Health, the number of children enrolled by age or grade or both, the number fully vaccinated, the number in process of completing vaccination requirements, and the number exempt from vaccination by reason for such exemption.

Within one hundred twenty (120) days after the opening of the fall term (on or before December 31), the person in charge of each school shall certify to the local or county health officer that all children enrolled are in compliance with immunization requirements.

For the purpose of assisting in supervising the immunization status of the children the local health officer, or his designee, may inspect the children's records or be furnished certificates of immunization compliance by the school.

It shall be the responsibility of the person in charge of each school to enforce the requirements for immunization. Any child not in compliance at the end of ninety (90) days from the opening of the fall term must be suspended until in compliance, unless the health officer shall attribute the delay to lack of supply of vaccine or some other such factor clearly making compliance impossible.

Failure to enforce provisions of this section shall constitute a misdemeanor and upon conviction be punishable by fine or imprisonment or both.

SOURCES: Laws, 1978, ch. 530, 1; 1983, ch. 522, Sec. 9, eff from and after July 1, 1983.

SECTION II
THE CUMULATIVE FOLDER

A. Purpose of the cumulative folder

The cumulative folder is a record developed to assist in the student's educational growth and progress. The teacher and other school personnel use it as a tool for student guidance and the improvement of instruction. A well-developed cumulative folder may afford a teacher an opportunity to analyze students' school history, test scores, and rate of growth so that a proper course of action for helping the student can be determined. The cumulative folder is only as useful as the quality of data entered. The Special Education record is an essential part of the cumulative folder and must be maintained accordingly with all security and confidentiality requirements.

B. Required information in the cumulative folder

Required information includes date of birth, record of attendance, grades and withdrawal from school, date of expulsion, act or behavior resulting in expulsion, immunization, and any other information required by school board policies or prescribed by the State Board of Education.

C. Individual responsible for the cumulative folder

The principal is responsible for supervising the proper maintenance of cumulative folders even though he/she may delegate responsibility to other personnel. The principal is ultimately responsible for maintaining security, confidentiality, and accuracy of student records. The cumulative folder for each student shall be kept in the school where the student is enrolled. Files containing cumulative folders shall be placed so that security is unquestionable, yet accessibility to teachers and other designated personnel is assured. The cumulative folder is a confidential document and is to be treated as such.

D. Access to cumulative folders

The school shall keep a current list of employees by name and position who are authorized to have access to cumulative folders. This list of current employees must be available for public inspection. Each school will keep a list of the names of individuals granted access to the cumulative folder, date on which the person viewed the cumulative folder, and for what purpose. This rule does not apply to parents or authorized employees of the agency. If a non-custody parent requests information concerning his/her child's records, the school district would be permitted to provide such records in the absence of a court order terminating the parental right.
(See Appendix A.)

E. Requesting the cumulative folder

Document efforts to gather required information needed to complete the cumulative folder and use all available information (report cards, copy of permanent record, etc.). If the cumulative folder has been lost or destroyed, then it is the duty of the superintendent or principal of the school where the pupil last attended school to initiate a new cumulative folder.

F. Transferring the cumulative folder

Transferring the cumulative folder to a public school in-state

The cumulative folder follows the student and may not be held for any reason, including fees and fines owed to the school. The cumulative folder must be forwarded promptly upon request. The cumulative folder of a student transferring to a school within a district follows the student. When a student transfers to another public school and an official request is made, the cumulative folder shall be furnished to the head of the school to which the student transfers. When the agency or institution includes a notice in its policies and procedures (formulated

under the Family Education Rights and Privacy Act 99.5) that it forwards education records on request to a school in which a student seeks or intends to enroll, the agency or institution does not have to provide any further notice of the transfer.

Transferring the cumulative folder to a private school or non-public accredited school

If the student transfers to a private school or non-public accredited school, a copy of the cumulative folder shall be furnished to the head of the school to which the student transfers. The regulation applies whether the student is transferring to a school in or out of the State of Mississippi.

Transferring the cumulative folder out-of-state

If the student transfers to a public or private school out of the state, a copy of the cumulative folder shall be furnished to the head of the school to which the student transfers.

G. Storage of the cumulative folder

Cumulative folders must be kept in a secure, fire resistant location. There is no requirement to store the cumulative folder and permanent record in two separate locations. This is based on local district policy. Some schools keep both records together and some keep them separate. For security, it is recommended that the cumulative folder be kept in a separate location.

H. Destroying the cumulative folder

The cumulative folder may be destroyed by order of the school board of the school district in not less than five (5) years after the permanent record of the student has become inactive and has been transferred to the central depository of the district.

I. Recording data on the cumulative folder

All information should be typed or recorded in permanent black ink except addresses, telephone numbers, and transfer of attendance, which should be written in **pencil**.

J. Making corrections or covering up labels on the cumulative folder

When any change or correction is made on the cumulative folder, draw a line through the incorrect information, record the correct information, and initial the correction. Correction fluid is not to be used. Do not place a new label on top of an existing label. Never remove or cover up any data that has been recorded on the student's cumulative folder. Always document the date and reason for making a correction and include the name or initials of the person who changed the data. If necessary, include a written description of the details concerning a change of grades.

K. Maintenance of cumulative folders when a school closes

Cumulative folders of any school (public or nonpublic) that closes are transferred to the central depository of the school district wherein the closed school is located.

SECTION III
RECORDING INFORMATION ON THE CUMULATIVE FOLDER

A. Personal and Family Data

Name

Print or type the full name copied from the certified birth certificate or other prescribed evidence established in MS Code 37-15-1.

Certified Birth Certificate Number

Record and properly identify all numbers (such as State no., State file no., and Registrar no.) found on the certified birth certificate. If not numbered, record and categorize any identifying information that is on the certificate. If the certified birth certificate is not available, record and identify the type of evidence used to verify date of birth.

Birth certificate means a certificate issued by the Bureau of Vital Statistics. The school is not required to keep the certified copy of the birth certificate. Keeping a copy of the birth certificate in the student's cumulative folder for future reference is based on local district policy.

Verification Initials

The school official who is responsible for verifying the information on the birth certificate or other evidence used for verification should initial this section.

MSIS ID Number

Record the MSIS ID Number.

Social Security Number

This information is optional. Copy the student's social security card if the school decides to include this information.

Hispanic/Latino Ethnicity

Check Yes or No on the revised cumulative folder.

Race

Record race using the following abbreviations
for the various classifications:

NA American Indian or Alaska Native
AS Asian
B Black or African American
PI Native Hawaiian or Other Pacific Islander
W White
H Hispanic or Latino or Spanish
TM Two or More Races

Sex

Record M for male or F for female.

Place of Birth

Record City, County, and State.

Date of Birth

Record Month, Day, and Year.

Address and Telephone Number

Record this information in **pencil** and keep it current.

Father, Mother, and/or Guardian

Record full name of father and mother to include mother's maiden name. Record legal guardian's name, if applicable.

Name: _____ Certified Birth Certificate File No.: _____ Verified By: _____
(Last) (First) (Middle) (Initials)
Place of Birth: _____ Date of Birth: _____
(City) (County) (State) (Mo.) (Day) (Year)
Social Security No.: _____ MSIS No.: _____ Race: ___ Sex: ___ Hispanic/Latino Ethnicity: ___Yes ___ No

Address	Phone	Address	Phone	Father
				Mother (Maiden Name)
				Guardian

B. Entrance Record

Record the date, grade level, and school name and address. No other entry will be made to the entrance record until the student transfers to another school or re-enters the same school after withdrawal. Use State Codes listed in Appendix B to indicate the reason for entry. (See Part L regarding additional form if needed for recording data.)

C. Withdrawal Record

Record the date and grade level when the student withdraws from school. Use State Codes listed in Appendix B to indicate the reason for withdrawal. (See Part L regarding additional form if needed for recording data.)

D. Record of Transfer

When the student's cumulative folder is requested, record the date and name and address of the school to which the cumulative folder is sent. Use State Codes listed in Appendix B to indicate the reason for the transfer. To mail the cumulative folder, use a large envelope with a metal clasp (10‖ X 13‖). The written consent of the eligible student is not required if the school district includes a notice of its policies and procedures developed under Section 99.5 of the Family Education Rights and Privacy Act that indicates the district forwards education records to a school on request. (See Part L regarding additional form if needed for recording data.)

ENTRANCE RECORD			WITHDRAWAL RECORD			RECORD OF TRANSFER	
Date	Gr.	Name and Address of School	Date	Gr.	State Code	Date	Name and Address of School

ENTRY CODES

E1	First regular enrollment this year
E2	Transfer from another grade in this school
E3	Transfer from another school in this district
E4	Transfer from another public school in Mississippi
E5	Transfer from a nonpublic school in Mississippi
E6	Transfer from another state or country
E7	Transfer within school (same grade)
E8	Transfer from an approved community-based GED program
E9	Transfer from home school
R1	Re-entries of withdrawals

WITHDRAWAL CODES

T1	Transfer to another grade in this school
T2	Transfer to another school in this district
T3	Transfer to another public school in Mississippi
T4	Transfer to a nonpublic school in Mississippi
T5	Transfer to another state or country
T6	Transfer to another room within school (same grade)
T7	Transfer to an approved community-based GED program
T8	Transfer to home school
C1	Completers-High School Graduates (Diploma)
C2	Completers-Other High School Graduates (Certificates/GED)

DROPOUTS

01	Physical illness or physical disability
02	Drug and/or alcohol problems
03	Emotional disturbances
04	Behavioral difficulty exclusive of suspension/expulsion
05	Suspended/Expelled
06	Restrained by court action
07	Would/could not keep up with work/was failing
08	Peer pressure
09	Felt I did not belong
10	Disliked school experience
11	Over compulsory attendance age
12	Entered a GED program or an institutional program not primarily educational
13	Lack of parental support/interest
14	Must care for family member
15	Economic reasons
16	Married
17	Pregnant
18	Whereabouts unknown
19	Reason unknown
20	Other (Specify)
Z1	Death of pupil

E. Attendance Record

At the end of the school year, transfer from the register or school enrollment database, the days absent and the chief cause of absence. When a student transfers to another school during the school year, use a **pencil** for recording attendance data.

ATTENDANCE RECORD		
Grade	Days Absent	Chief Cause of Absence

F. Standardized Test Record (Elementary and Secondary)

When standardized tests are administered, record the test scores on the cumulative folder in the designated spaces. Begin recording elementary results on the inside of the folder continuing on the outside for subsequent grade levels allowing for efficient use of space. If space is insufficient, a school district may adopt and use an additional form for recording test scores. (Also see Part L regarding additional form if needed for recording data.)

STANDARDIZED TEST RECORD, ELEMENTARY AND SECONDARY

_____

_____

_____

_____

_____

G. Elementary School Progress (Grades Pre-K to 6)

To complete the cumulative folder, record the year, number of days school is in session, the grade level in which the student is enrolled, and grades assigned to the student in the various subjects. The area designated for passing marks should be completed (e.g., Satisfactory (S), Unsatisfactory (U), 1-100, A-F). If the student transfers before the end of the semester, the grades should not be entered, but a written evaluation of the student's work, or report card, should be placed in the cumulative folder.

The subjects listed on the far left of the cumulative folder are designated for pre-kindergarten and kindergarten. (Record pre-kindergarten if applicable.) The subjects listed to the left of the first grade column pertain to the remaining elementary grades. Record student's grades starting with first grade in the spaces to the right of the subject's column. Continue recording grades in this section through the sixth grade.

Special codes, such as grade level (GL), below grade level (BGL), etc., may be used for the gifted, special education, etc. Promotion shall be indicated (with yes or no); the name of the teacher responsible for completing the cumulative folder shall be indicated; and the name of the school at the end of the school year shall be recorded.

ELEMENTARY SCHOOL PROGRESS (GRADES PRE-K TO 6)

Year	20___ 20___			Year	20___ 20___			Year	20___ 20___			20___ 20___			20___ 20___			20___ 20___			20___ 20___			20___ 20___		
Length of Session	Days			Length of Session	Days			Length of Session	Days			Days			Days			Days			Days			Days		
Grade	Pre-Kindergarten			Grade	Kindergarten			Grade	First Grade																	
Subjects	1 Sem	2 Sem	3 Sem	Subjects	1 Sem	2 Sem	3 Sem	Subjects	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem
Concepts of Mathematics				Concepts of Mathematics				Reading																		
Physical Dev.				Motor Skills Dev.				English/Lang. Arts																		
Lang./Lit. Concepts				Reading Concepts				Handwriting																		
Social & Emotional				Language Concepts				Spelling																		
				Follows Directions				Mathematics																		
				Completes Tasks				Science																		
				Cognitive Skills Dev.				Social Studies																		
								Art																		
								Computer Education																		
								Foreign Language																		
								Health/ Physical Ed.																		
								Music and/or Band																		
Passing Grades				Passing Grades				Passing Grades																		
Special Codes				Special Codes				Special Codes																		
Promoted				Promoted				Promoted																		
Teacher				Teacher				Teacher																		
School				School				School																		

H. Significant Facts (by counselor, principal, or teacher)

Record the date, grade level, current age, and name of counselor, principal or teacher making the entry. Only documented information should be recorded. Expulsion shall be documented. Record the date of expulsion and description of the

behavior or act resulting in the expulsion. Any additional information concerning disciplinary action should be based on local district policy. [MS Code 37-15-6] (See Part L regarding additional form if needed for recording data.)

SIGNIFICANT FACTS (By: Counselor, Principal, or Teacher) INCLUDING EXPULSIONS, AS REQUIRED BY MISSISSIPPI CODE SECTION 37-15-1 AND 37-15-6 AS AMENDED.

Date	Grade	Current Age	Counselor, Principal, or Teacher	Duration Date	Record only facts which can be documented

IMMUNIZATION CERTIFICATE OF COMPLIANCE

DATE OF COMPLIANCE:

Verified by: (Initials)

MEDICAL INFORMATION

CONDITION	Yr.	CONDITION	Yr.
Anemia		Asthma	
Diabetes		Allergy	
Epilepsy		Rheumatic Fever	
Tuberculosis		Hearing	
Vision		Other	

DIRECTIONS FOR CUMULATIVE FOLDER

1. Print or type name and birth date as shown on the birth certificate.
2. The cumulative folder is kept in the school where the pupil is in attendance.
3. When a pupil transfers to another school, the cumulative folder shall be furnished to the head of the school to which the pupil transfers.
4. Release of pupil information shall be in accordance with the Family Rights and Privacy Acts of 1974, as amended.

I. The Immunization Certificate of Compliance

This information must be obtained from the parent(s) at the time the student enrolls. Immunization Certificate of Compliance is issued by the local health officers or physicians on forms specified by the Mississippi State Board of Health. These forms shall be the only acceptable means for showing compliance. The appropriate school official shall write the date of immunization compliance on the cumulative folder, initial verification, and file the certificate in the student's cumulative folder. If the temporary certificate of compliance is received, record no data. It is the parent's responsibility to secure and present the permanent certificate of compliance according to the date designated on the temporary certificate. Compliance certificates for pre-kindergarten and kindergarten students will be the same as those for six-year-old students. [MS Code 41-23-37]

J. Medical Information

This information should be obtained from the parents at the time the student enrolls and should be kept current.

K. Secondary School Progress (Grades 7-12)

Subjects for each grade level should be listed. This also includes courses a student takes through distance learning, correspondence, or a virtual school program for Carnegie unit credit. Once a student remains enrolled in a course following the drop/add period, the student will receive a grade for the course. Courses dropped after the course withdrawal deadline will still appear on the student's official transcript.

Record name of school, grade level, year, number of days in school session, subjects, teachers, semester grades, year average, and credit earned when courses have been completed. If a student transfers before the end of the semester, the grades should not be entered, but a written evaluation of the student's work or a report card should be included in the cumulative folder.

If a student demonstrates proficiency in Keyboarding and/or Computer Applications, student demonstrated proficiency must be recorded on the secondary portion of the cumulative folder. (See the current guidelines for demonstrating proficiency.) In the column indicating the amount of credit earned, record the letter -P‖ for proficiency.

If a student attends summer school or takes a correspondence course, record date, school, subjects and grades in the summer school (S.S.) section.

SECONDARY SCHOOL PROGRESS (GRADES 7-12)

School						School						School						School					
Grade			20___ 20___			Grade			20___ 20___			Grade			20___ 20___			Grade			20___ 20___		
Length of Session				Days		Length of Session				Days		Length of Session				Days		Length of Session				Days	
Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.
SS Date		Sch				SS Date		Sch				SS Date		Sch				SS Date		Sch			
School						School						School						School					
Grade			20___ 20___			Grade			20___ 20___			Grade			20___ 20___			Grade			20___ 20___		
Length of Session				Days		Length of Session				Days		Length of Session				Days		Length of Session				Days	
Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.
SS Date		Sch				SS Date		Sch				SS Date		Sch				SS Date		Sch			

L. Additional Form for Recording Data

Information should be carefully placed on the cumulative folder to maximize the space. If space is insufficient for recording entrance/withdrawal/transfer data, test data, and/or significant facts, the district may use the additional form for recording data or a page of heavy card stock that is properly labeled. This form/page should be added to the student's cumulative folder only when space on the folder is insufficient.

SECTION IV
THE PERMANENT RECORD

A. Purpose of the permanent record

Permanent records are kept in perpetuity for every person who has enrolled or is enrolled in a school. The permanent record is the legal school record for the student. This document contains most of the information recorded on the cumulative folder.

B. Storage of the permanent record

The permanent record must be kept, while it is active, in the attendance center office in a secure and fire-resistant container or location. The permanent record shall be considered active (a) if the student is enrolled in the school or (b) if the student has withdrawn and the students of the class of which the student was a member have not reached the time of graduation. There is no requirement to store the cumulative folder and permanent record in two separate locations. This is based on local district policy. Some schools keep both records together and some keep them separate. For security, it is recommended that the permanent record be kept in a separate location.

C. Maintenance of the permanent record when a student transfers

In the event a student transfers to another school district, the permanent record shall be kept permanently by the school district from which the student transferred. Only the cumulative folder goes with the student when he or she transfers. The permanent record of a student transferring from one school to another school within the same district shall follow the student, as does the cumulative folder. Only when a student moves out of a district does the school which the student last attended in that district retain the permanent record. **Photocopies printed on regular paper are not acceptable as substitutes for permanent records.** It is the responsibility of the receiving school to initiate a new permanent record when the student enrolls.

D. Maintenance of the permanent record when a student graduates

At the point of the student's graduation or at the time when the student would normally have graduated if the student had not withdrawn from school, the student's permanent record shall become a part of the permanent binder in the central fire resistant depository as designated and provided by the board of trustees of the school district. As an alternative method, such records may be maintained in a fire resistant storage at the school last attended by the student.

E. Individual responsible for the preservation of the permanent record

The permanent binding and preservation of inactive records shall be the duty of the superintendent of the school district who shall maintain a central depository of the records. At the time that the superintendent shall resign or otherwise leave the district, he/she shall account for and deliver the permanent record binders to the board of trustees of his/her school district.

F. Microfilming, photographing, or scanning of the permanent record Permanent records may be microfilmed, photographed, or scanned. When a school district makes complete copies of inactive permanent records on photographic film or microfilm which may be reproduced as needed, such permanent records may be destroyed after the photographic film or microfilm copy has been stored in a central, fire- resistant depository of the district. If the permanent record is filmed, care should be taken to ensure the highest quality of filming, so that the film will produce a good readable permanent record. [MS Code 37-15-3]

G. Maintenance of permanent records when a school closes

Permanent records of any school (public or nonpublic) that closes are transferred to the central depository of the school district wherein the closed school is located.

SECTION V
RECORDING INFORMATION ON THE PERMANENT RECORD

The permanent record contains the legal name and address of the student, date of birth as verified by birth certificate, courses taken and grades or proficiency level earned, immunization record, date of withdrawal or graduation, social security number (optional), record of performance on the required graduation tests, and any other information determined by the State Board of Education.

A. Personal and Family Data

Name

Print or type the full name copied from the certified birth certificate or other prescribed evidence established in MS Code 37-15-1.

Certified Birth Certificate Number

Record and properly identify all numbers (such as State no., State file no., and Registrar no.) found on the certificate. If not numbered, record and categorize any identifying information that is on the certificate. If the certified birth certificate is not available, record and identify the type of evidence used to verify date of birth.

Birth certificate means a certificate issued by the Bureau of Vital Statistics. The school is not required to keep the certified copy of the birth certificate. Keeping a copy of the birth certificate for future reference is based on local district policy.

Verification initials

The school official who is **responsible** for verifying the information on the birth certificate should initial this section.

MSIS ID Number

Record the MSIS ID Number.

Social Security Number

This information is optional. Copy the student's social security card if the school decides to include this information.

Hispanic/Latino Ethnicity

Check Yes or No on the revised permanent record.

Race

Record race using the following abbreviations for the various classifications:

NA American Indian or Alaska Native
AS Asian
B Black or African American
PI Native Hawaiian or Other Pacific Islander
W White
H Hispanic or Latino or Spanish
TM Two or More Races

Sex

Record M for male or F for female.

Place of Birth

Record City, County, and State.

Date of Birth

Record Month, Day, and Year.

Address and Telephone Number

Record this information in **pencil** and keep it current.

Father, Mother, and/or Guardian

Record full name of father and mother to include mother's maiden name. Record legal guardian's name, if applicable.

Date of Birth: (Mo.) (Day) (Year) Social Security No.: MSIS No.: Name: (Last) (First) (Middle)

Pupil's Name: (Last) (First) (Middle) Certified Birth Certificate File No.: Verified by: (Initials)

Place of Birth: (City) (County) (State) Date of Birth: (Mo.) (Day) (Year) Race: Sex: Hispanic/Latino Ethnicity: Yes No

Address	Phone	Address	Phone	Father
				Mother (Maiden Name)
				Guardian

B. Entrance Record

Record date, grade level, school name and address. No other entry will be made to the entrance record until the student transfers to another school or re-enters the same school after withdrawal. Use State Codes listed in Appendix B to indicate the reason for entry.

C. Withdrawal Record

Record the date and grade level when the student withdraws from school. Use State Codes listed in Appendix B to indicate the reason for withdrawal.

D. Record of Transfer

When the student's record is requested, record the date, and school name and address to which the record is sent. Use State Codes listed in Appendix B to indicate the reason for the transfer. If the student transfers to another school within the district, the permanent record will be sent with the cumulative folder. However, if the student is transferring outside the district, the last school attended in the district will keep the permanent record. The written consent of the eligible student is not required if the school district includes a notice of its policies and procedures developed under Section 99.5 of the Family Education Rights and Privacy Act that indicates the district forwards education records to a school on request.

ENTRANCE RECORD			WITHDRAWAL RECORD			RECORD OF TRANSFER	
Date	Grade	Name and Address of School	Date	Grade	State Code	Date	Name and Address of School

E. Elementary School Progress (Grades Pre-K to 6)

Continue completing the permanent record by recording the year, number of days school is in session, the grade level in which the student is enrolled, and grades assigned to the student in the various subjects. The area designated for passing marks should be completed (e.g., Satisfactory (S), Unsatisfactory (U), 1-100, A-F).

The subjects listed on the far left of the permanent record are designated for pre-kindergarten and kindergarten. (Record pre-kindergarten if applicable.) The subjects listed to the left of the first grade column pertain to the remaining elementary grades. Record student's grades starting with first grade in the spaces to the right of the subject's column. Continue recording grades in this section through the sixth grade.

Special codes, such as grade level (GL), below grade level (BGL), etc., may be used for the gifted, special education, etc. Promotion shall be indicated (with yes or no); the name of the teacher responsible for completing the permanent record shall be indicated; and the name of the school at the end of the school year shall be recorded.

ELEMENTARY SCHOOL PROGRESS (GRADES PRE-K TO 6)

Year	20___ 20___			Year	20___ 20___			Year	20___ 20___			20___ 20___			20___ 20___			20___ 20___			20___ 20___			20___ 20___		
Length of Session	Days			Length of Session	Days			Length of Session	Days			Days			Days			Days			Days			Days		
Grade	Pre-Kindergarten			Grade	Kindergarten			Grade	First Grade																
Subjects	1 Sem	2 Sem	3 Sem	Subjects	1 Sem	2 Sem	3 Sem	Subjects	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem	1 Sem	2 Sem	3 Sem
Concepts of Mathematics				Concepts of Mathematics				Reading																	
Physical Dev.				Motor Skills Dev.				English/Lang. Arts																	
Lang./Lit. Concepts				Reading Concepts				Handwriting																	
Social & Emotional				Language Concepts				Spelling																	
				Follows Directions				Mathematics																	
				Completes Tasks				Science																	
				Cognitive Skills Dev.				Social Studies																	
								Art																	
								Computer Education																	
								Foreign Language																	
								Health/ Physical Ed.																	
								Music and/or Band																	
Passing Grades				Passing Grades				Passing Grades																	
Special Codes				Special Codes				Special Codes																	
Promoted				Promoted				Promoted																	
Teacher				Teacher				Teacher																	
School				School				School																	

F. Secondary School Progress (Grades 7-12)

Subjects for each grade level should be listed. This also includes courses a student takes through distance learning, correspondence, or a virtual school program for Carnegie unit credit. Once a student remains enrolled in a course following the drop/add period, the student will receive a grade for the course. Courses dropped after the course withdrawal deadline will still appear on the student's official transcript.

Record name of school, grade level, year, number of days in school session, subjects, semester grades, year average, and credit when courses have been completed. If a student transfers before the end of the semester, the grades should not be entered, but a written evaluation of the student's work or a report card should be included in the cumulative folder.

If a student demonstrates proficiency in Keyboarding and/or Computer Applications, student demonstrated proficiency must be recorded on the secondary portion of the cumulative folder. (See the current guidelines for demonstrating proficiency.) In the column indicating the amount of credit earned, record the letter -P‖ for proficiency.

If a student attends summer school, or takes a correspondence course, record date, school, subjects, and grades in the summer school (S.S.) section.

SECONDARY SCHOOL PROGRESS (GRADES 7-12)

School						School						School						School					
Grade 20___ 20___						Grade 20___ 20___						Grade 20___ 20___						Grade 20___ 20___					
Length of Session Days						Length of Session Days						Length of Session Days						Length of Session Days					
Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.
SS Date		Sch				SS Date		Sch				SS Date		Sch				SS Date		Sch			
School						School						School						School					
Grade 20___ 20___						Grade 20___ 20___						Grade 20___ 20___						Grade 20___ 20___					
Length of Session Days						Length of Session Days						Length of Session Days						Length of Session Days					
Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.	Subjects	Teachers	1 Sem	2 Sem	Yr. Av.	Cr.
SS Date		Sch				SS Date		Sch				SS Date		Sch				SS Date		Sch			

G. Attendance Record

At the end of the school year, record from the register or school enrollment database the number of days absent.

ATTENDANCE RECORD			
Grade	Days Absent	Grade	Days Absent

H. Immunization Certificate of Compliance

This information must be obtained from the parents at the time the student enrolls. Immunization Certificate of Compliance is issued by the local health officers or physicians on forms specified by the Mississippi State Board of Health. These forms shall be the only acceptable means for showing compliance. The appropriate school

official shall write the date of immunization compliance on the permanent record and initial verification. If the temporary certificate of compliance is received, record no data. It is the parent's responsibility to secure and present the permanent certificate of compliance according to the date designated on the temporary certificate. Compliance certificates for pre-kindergarten and kindergarten students will be the same as those for six-year-old students. [MS Code 41-23-37]

IMMUNIZATION CERTIFICATE OF COMPLIANCE
Date of Compliance:
Verified by: (Initials)

I. Medical Information

This information should be obtained from the parents at the time the student enrolls and should be kept current.

MEDICAL INFORMATION			
CONDITION	Yr.	CONDITION	Yr.
Anemia		Asthma	
Diabetes		Allergy	
Epilepsy		Rheumatic Fever	
Tuberculosis		Hearing	
Vision		Other	

J. Summary of High School Units

At the end of the school year, record the number of Carnegie units earned in each subject. Record eighth grade unit(s) in the first blank column. At the bottom, total the number of units earned each year. When the student completes requirements for graduation, complete the total column at the right of the chart. This is a required section to record all high school units.

SUMMARY OF HIGH SCHOOL UNITS							
Subjects	Years						
		1	2	3	4		Total
English							
Mathematics							
Science							
Soc. Studies							
Health							
Computer Edu.							
The Arts							
Vocational							
Electives							
Total							

K. Graduation Facts

When a student meets the required Carnegie units for graduation, complete the Graduation Facts section. Record the month, day, and year the student graduated, the student's class rank (if applicable), the number of students in the graduating class, and the student's grade average based on the school district's point system.

If a school district gives a special diploma or certificate for another program offered by the school, complete only the month, day, and year the student completed the other prescribed program. Do not include this student in the class rank.

The Principal's original signature is required for verification. (A signature stamp is not acceptable.)

GRADUATION FACTS

Completed Required Graduation Requirements

_____ Date

Ranked _____ in class of _____ with

_____ grade average based on _____

point system.

Complete Other Prescribed Program _____

Date

_____

Principal's Signature

L. Transcript of High School Record

A photocopy of the secondary side of the permanent record may serve as the transcript for admission to colleges and universities. Transcripts of a record may be mailed upon the written request of the student, the student's parents, or the

student's legal guardian. Record the date and the name of the college, the company, individual, etc., to which the transcript is sent in the designated space.

When a transcript is given to one party, it is not to be released to any other party without written consent from the person named on the transcript. This statement is included in compliance with the Family Educational Rights and Privacy Act.

TRANSCRIPT OF HIGH SCHOOL RECORD	
Sent to:	Date:

M. Record of Tests

Only test scores which are necessary or significant for **college** and **vocational planning** in grades 7-12 should be recorded (e.g., PLAN, PSAT/NMSQT, SAT, ACT).

RECORD OF TESTS SIGNIFICANT TO COLLEGE, VOCATIONAL, AND PLANNING IN GRADES 7-12

SECTION VI

FEDERAL RULE ON EDUCATION RECORDS

Title 34 – Education

This section has been reprinted as it appears in the United States Federal Registry. This Electronic Code of Federal Regulations (e-CFR) Data is current as of October 12, 2010.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

34 C.F.R. Part 99

Title 34: Education

PART 99—FAMILY EDUCATIONAL RIGHTS AND PRIVACY

Section Contents

Subpart A—General

§ 99.1 To which educational agencies or institutions do these regulations apply?
§ 99.2 What is the purpose of these regulations?
§ 99.3 What definitions apply to these regulations?
§ 99.4 What are the rights of parents?
§ 99.5 What are the rights of students?
§ 99.6 [Reserved]
§ 99.7 What must an educational agency or institution include in its annual notification?
§ 99.8 What provisions apply to records of a law enforcement unit?

Subpart B—What Are the Rights of Inspection and Review of Education Records?

§ 99.10 What rights exist for a parent or eligible student to inspect and review education records?
§ 99.11 May an educational agency or institution charge a fee for copies of education records?
§ 99.12 What limitations exist on the right to inspect and review records?

Subpart C—What Are the Procedures for Amending Education Records?

§ 99.20 How can a parent or eligible student request amendment of the student's education records?
§ 99.21 Under what conditions does a parent or eligible student have the right to a hearing?
§ 99.22 What minimum requirements exist for the conduct of a hearing?

Subpart D—May an Educational Agency or Institution Disclose Personally Identifiable Information From Education Records?

§ 99.30 Under what conditions is prior consent required to disclose information?

§ 99.31 Under what conditions is prior consent not required to disclose information?
§ 99.32 What recordkeeping requirements exist concerning requests and disclosures?
§ 99.33 What limitations apply to the redisclosure of information?
§ 99.34 What conditions apply to disclosure of information to other educational agencies or institutions?
§ 99.35 What conditions apply to disclosure of information for Federal or State program purposes?
§ 99.36 What conditions apply to disclosure of information in health and safety emergencies?
§ 99.37 What conditions apply to disclosing directory information?
§ 99.38 What conditions apply to disclosure of information as permitted by State statute adopted after November 19, 1974, concerning the juvenile justice system?
§ 99.39 What definitions apply to the nonconsensual disclosure of records by postsecondary educational institutions in connection with disciplinary proceedings concerning crimes of violence or non-forcible sex offenses?

Subpart E—What Are the Enforcement Procedures?

§ 99.60 What functions has the Secretary delegated to the Office and to the Office of Administrative Law Judges?
§ 99.61 What responsibility does an educational agency or institution have concerning conflict with State or local laws?
§ 99.62 What information must an educational agency or institution submit to the Office?
§ 99.63 Where are complaints filed?
§ 99.64 What is the investigation procedure?
§ 99.65 What is the content of the notice of investigation issued by the Office?
§ 99.66 What are the responsibilities of the Office in the enforcement process?
§ 99.67 How does the Secretary enforce decisions?
Appendix A to Part 99—Crimes of Violence Definitions

Authority: 20 U.S.C. 1232g, unless otherwise noted.

Source: 53 FR 11943, Apr. 11, 1988, unless otherwise noted.

Subpart A—General

§ 99.1 To which educational agencies or institutions do these regulations apply?

(a) Except as otherwise noted in §99.10, this part applies to an educational agency or institution to which funds have been made available under any program administered by the Secretary, if—

(1) The educational institution provides educational services or instruction, or both, to students; or

(2) The educational agency is authorized to direct and control public elementary or secondary, or postsecondary educational institutions.

(b) This part does not apply to an educational agency or institution solely because students attending that agency or institution receive non-monetary benefits under a program referenced in paragraph (a) of this section, if no funds under that program are made available to the agency or institution.

(c) The Secretary considers funds to be made available to an educational agency or institution of funds under one or more of the programs referenced in paragraph (a) of this section—

(1) Are provided to the agency or institution by grant, cooperative agreement, contract, subgrant, or subcontract; or

(2) Are provided to students attending the agency or institution and the funds may be paid to the agency or institution by those students for educational purposes, such as under the Pell Grant Program and the Guaranteed Student Loan Program (titles IV-A-1 and IV-B, respectively, of the Higher Education Act of 1965, as amended).

(d) If an educational agency or institution receives funds under one or more of the programs covered by this section, the regulations in this part apply to the recipient as a whole, including each of its components (such as a department within a university).

(Authority: 20 U.S.C. 1232g)

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59295, Nov. 21, 1996; 65 FR 41852, July 6, 2000]

§ 99.2 What is the purpose of these regulations?

The purpose of this part is to set out requirements for the protection of privacy of parents and students under section 444 of the General Education Provisions Act, as amended.

(Authority: 20 U.S.C. 1232g)

Note to §99.2: 34 CFR 300.610 through 300.626 contain requirements regarding the confidentiality of information relating to children with disabilities who receive evaluations, services or other benefits under Part B of the Individuals with Disabilities Education Act (IDEA). 34 CFR 303.402 and 303.460 identify the confidentiality of information requirements regarding children and infants and toddlers with disabilities and their families who receive evaluations, services, or other benefits under Part C of

IDEA. 34 CFR 300.610 through 300.627 contain the confidentiality of information requirements that apply to personally identifiable data, information, and records collected or maintained pursuant to Part B of the IDEA.

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59295, Nov. 21, 1996; 73 FR 74851, Dec. 9, 2008]

§ 99.3 What definitions apply to these regulations?

The following definitions apply to this part:

Act means the Family Educational Rights and Privacy Act of 1974, as amended, enacted as section 444 of the General Education Provisions Act.

(Authority: 20 U.S.C. 1232g)

Attendance includes, but is not limited to—

(a) Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and

(b) The period during which a person is working under a work-study program.

(Authority: 20 U.S.C. 1232g)

Biometric record, as used in the definition of *personally identifiable information,* means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. Examples include fingerprints; retina and iris patterns; voiceprints; DNA sequence; facial characteristics; and handwriting.

(Authority: 20 U.S.C. 1232g)

Dates of attendance. (a) The term means the period of time during which a student attends or attended an educational agency or institution. Examples of dates of attendance include an academic year, a spring semester, or a first quarter.

(b) The term does not include specific daily records of a student's attendance at an educational agency or institution.

(Authority: 20 U.S.C. 1232g(a)(5)(A))

Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

(a) Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (*e.g.* , undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

(b) Directory information does not include a student's—

(1) Social security number; or

(2) Student identification (ID) number, except as provided in paragraph (c) of this section.

(c) Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

(Authority: 20 U.S.C. 1232g(a)(5)(A))

Disciplinary action or proceeding means the investigation, adjudication, or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of the internal rules of conduct applicable to students of the agency or institution.

Disclosure means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

(Authority: 20 U.S.C. 1232g(b)(1) and (b)(2))

Educational agency or institution means any public or private agency or institution to which this part applies under §99.1(a).

(Authority: 20 U.S.C. 1232g(a)(3))

Education records. (a) The term means those records that are:

(1) Directly related to a student; and

(2) Maintained by an educational agency or institution or by a party acting for the agency or institution.

(b) The term does not include:

(1) Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

(2) Records of the law enforcement unit of an educational agency or institution, subject to the provisions of §99.8.

(3)(i) Records relating to an individual who is employed by an educational agency or institution, that:

(A) Are made and maintained in the normal course of business;

(B) Relate exclusively to the individual in that individual's capacity as an employee; and

(C) Are not available for use for any other purpose.

(ii) Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and not excepted under paragraph (b)(3)(i) of this definition.

(4) Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:

(i) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;

(ii) Made, maintained, or used only in connection with treatment of the student; and

(iii) Disclosed only to individuals providing the treatment. For the purpose of this definition, –treatment‖ does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution; and

(5) Records created or received by an educational agency or institution after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.

(6) Grades on peer-graded papers before they are collected and recorded by a teacher.

(Authority: 20 U.S.C. 1232g(a)(4))

Eligible student means a student who has reached 18 years of age or is attending an institution of postsecondary education.

(Authority: 20 U.S.C. 1232g(d))

Institution of postsecondary education means an institution that provides education to students beyond the secondary school level; –secondary school level‖ means the educational level (not beyond grade 12) at which secondary education is provided as determined under State law.

(Authority: 20 U.S.C. 1232g(d))

Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

(Authority: 20 U.S.C. 1232g)

Party means an individual, agency, institution, or organization.

(Authority: 20 U.S.C. 1232g(b)(4)(A))

Personally Identifiable Information

The term includes, but is not limited to—

(a) The student's name;

(b) The name of the student's parent or other family members;

(c) The address of the student or student's family;

(d) A personal identifier, such as the student's social security number, student number, or biometric record;

(e) Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;

(f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

(g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

(Authority: 20 U.S.C. 1232g)

Record means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

(Authority: 20 U.S.C. 1232g)

Secretary means the Secretary of the U.S. Department of Education or an official or employee of the Department of Education acting for the Secretary under a delegation of authority.

(Authority: 20 U.S.C. 1232g)

Student, except as otherwise specifically provided in this part, means any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records.

(Authority: 20 U.S.C. 1232g(a)(6))

[53 FR 11943, Apr. 11, 1988, as amended at 60 FR 3468, Jan. 17, 1995; 61 FR 59295, Nov. 21, 1996; 65 FR 41852, July 6, 2000; 73 FR 74851, Dec. 9, 2008]

§ 99.4 What are the rights of parents?

An educational agency or institution shall give full rights under the Act to either parent, unless the agency or institution has been provided with evidence that there is a court order, State statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.
(Authority: 20 U.S.C. 1232g)

§ 99.5 What are the rights of students?

(a)(1) When a student becomes an eligible student, the rights accorded to, and consent required of, parents under this part transfer from the parents to the student.

(2) Nothing in this section prevents an educational agency or institution from disclosing education records, or personally identifiable information from education records, to a parent without the prior written consent of an eligible student if the disclosure meets the conditions in §99.31(a)(8), §99.31(a)(10), §99.31(a)(15), or any other provision in §99.31(a).

(b) The Act and this part do not prevent educational agencies or institutions from giving students rights in addition to those given to parents.

(c) An individual who is or has been a student at an educational institution and who applies for admission at another component of that institution does not have rights under this part with respect to records maintained by that other component, including

records maintained in connection with the student's application for admission, unless the student is accepted and attends that other component of the institution.

(Authority: 20 U.S.C. 1232g(d))

[53 FR 11943, Apr. 11, 1988, as amended at 58 FR 3188, Jan. 7, 1993; 65 FR 41853, July 6, 2000; 73 FR 74852, Dec. 9, 2008]

§ 99.6 [Reserved]

§ 99.7 What must an educational agency or institution include in its annual notification?

(a)(1) Each educational agency or institution shall annually notify parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Act and this part.

(2) The notice must inform parents or eligible students that they have the right to—

(i) Inspect and review the student's education records;

(ii) Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;

(iii) Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and §99.31 authorize disclosure without consent; and

(iv) File with the Department a complaint under §§99.63 and 99.64 concerning alleged failures by the educational agency or institution to comply with the requirements of the Act and this part.

(3) The notice must include all of the following:

(i) The procedure for exercising the right to inspect and review education records.

(ii) The procedure for requesting amendment of records under §99.20.

(iii) If the educational agency or institution has a policy of disclosing education records under §99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

(b) An educational agency or institution may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights.

(1) An educational agency or institution shall effectively notify parents or eligible students who are disabled.

(2) An agency or institution of elementary or secondary education shall effectively notify parents who have a primary or home language other than English.

(Approved by the Office of Management and Budget under control number 1880–0508)

(Authority: 20 U.S.C. 1232g (e) and (f))

[61 FR 59295, Nov. 21, 1996]

§ 99.8 What provisions apply to records of a law enforcement unit?

(a)(1) *Law enforcement unit* means any individual, office, department, division, or other component of an educational agency or institution, such as a unit of commissioned police officers or non-commissioned security guards, that is officially authorized or designated by that agency or institution to—

(i) Enforce any local, State, or Federal law, or refer to appropriate authorities a matter for enforcement of any local, State, or Federal law against any individual or organization other than the agency or institution itself; or

(ii) Maintain the physical security and safety of the agency or institution.

(2) A component of an educational agency or institution does not lose its status as a *law enforcement unit* if it also performs other, non-law enforcement functions for the agency or institution, including investigation of incidents or conduct that constitutes or leads to a disciplinary action or proceedings against the student.

(b)(1) Records of a law enforcement unit means those records, files, documents, and other materials that are—

(i) Created by a law enforcement unit;

(ii) Created for a law enforcement purpose; and

(iii) Maintained by the law enforcement unit.

(2) Records of a law enforcement unit does not mean—

(i) Records created by a law enforcement unit for a law enforcement purpose that are maintained by a component of the educational agency or institution other than the law enforcement unit; or

(ii) Records created and maintained by a law enforcement unit exclusively for a non-law enforcement purpose, such as a disciplinary action or proceeding conducted by the educational agency or institution.

(c)(1) Nothing in the Act prohibits an educational agency or institution from contacting its law enforcement unit, orally or in writing, for the purpose of asking that unit to investigate a possible violation of, or to enforce, any local, State, or Federal law.

(2) Education records, and personally identifiable information contained in education records, do not lose their status as education records and remain subject to the Act, including the disclosure provisions of §99.30, while in the possession of the law enforcement unit.

(d) The Act neither requires nor prohibits the disclosure by an educational agency or institution of its law enforcement unit records.

(Authority: 20 U.S.C. 1232g(a)(4)(B)(ii))

[60 FR 3469, Jan. 17, 1995]

Subpart B—What Are the Rights of Inspection and Review of Education Records?

§ 99.10 What rights exist for a parent or eligible student to inspect and review education records?

(a) Except as limited under §99.12, a parent or eligible student must be given the opportunity to inspect and review the student's education records. This provision applies to—

(1) Any educational agency or institution; and

(2) Any State educational agency (SEA) and its components.

(i) For the purposes of subpart B of this part, an SEA and its components constitute an educational agency or institution.

(ii) An SEA and its components are subject to subpart B of this part if the SEA maintains education records on students who are or have been in attendance at any school of an educational agency or institution subject to the Act and this part.

(b) The educational agency or institution, or SEA or its component, shall comply with a request for access to records within a reasonable period of time, but not more than 45 days after it has received the request.

(c) The educational agency or institution, or SEA or its component shall respond to reasonable requests for explanations and interpretations of the records.

(d) If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the educational agency or institution, or SEA or its component, shall—

(1) Provide the parent or eligible student with a copy of the records requested; or

(2) Make other arrangements for the parent or eligible student to inspect and review the requested records.

(e) The educational agency or institution, or SEA or its component shall not destroy any education records if there is an outstanding request to inspect and review the records under this section.

(f) While an education agency or institution is not required to give an eligible student access to treatment records under paragraph (b)(4) of the definition of *Education records* in §99.3, the student may have those records reviewed by a physician or other appropriate professional of the student's choice.

(Authority: 20 U.S.C. 1232g(a)(1) (A) and (B))

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59296, Nov. 21, 1996]

§ 99.11 May an educational agency or institution charge a fee for copies of education records?

(a) Unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's education records, an educational agency or institution may charge a fee for a copy of an education record which is made for the parent or eligible student.

(b) An educational agency or institution may not charge a fee to search for or to retrieve the education records of a student.

(Authority: 20 U.S.C. 1232g(a)(1))

§ 99.12 What limitations exist on the right to inspect and review records?

(a) If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information about that student.

(b) A postsecondary institution does not have to permit a student to inspect and review education records that are:

(1) Financial records, including any information those records contain, of his or her parents;

(2) Confidential letters and confidential statements of recommendation placed in the education records of the student before January 1, 1975, as long as the statements are used only for the purposes for which they were specifically intended; and

(3) Confidential letters and confidential statements of recommendation placed in the student's education records after January 1, 1975, if:

(i) The student has waived his or her right to inspect and review those letters and statements; and

(ii) Those letters and statements are related to the student's:

(A) Admission to an educational institution;

(B) Application for employment; or

(C) Receipt of an honor or honorary recognition.

(c)(1) A waiver under paragraph (b)(3)(i) of this section is valid only if:

(i) The educational agency or institution does not require the waiver as a condition for admission to or receipt of a service or benefit from the agency or institution; and

(ii) The waiver is made in writing and signed by the student, regardless of age.

(2) If a student has waived his or her rights under paragraph (b)(3)(i) of this section, the educational institution shall:
(i) Give the student, on request, the names of the individuals who provided the letters and statements of recommendation; and

(ii) Use the letters and statements of recommendation only for the purpose for which they were intended.

(3)(i) A waiver under paragraph (b)(3)(i) of this section may be revoked with respect to any actions occurring after the revocation.

(ii) A revocation under paragraph (c)(3)(i) of this section must be in writing.

(Authority: 20 U.S.C. 1232g(a)(1) (A), (B), (C), and (D))

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59296, Nov. 21, 1996]

Subpart C—What Are the Procedures for Amending Education Records?

§ 99.20 How can a parent or eligible student request amendment of the student's education records?

(a) If a parent or eligible student believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy, he or she may ask the educational agency or institution to amend the record.

(b) The educational agency or institution shall decide whether to amend the record as requested within a reasonable time after the agency or institution receives the request.

(c) If the educational agency or institution decides not to amend the record as requested, it shall inform the parent or eligible student of its decision and of his or her right to a hearing under §99.21.

(Authority: 20 U.S.C. 1232g(a)(2))

[53 FR 11943, Apr. 11, 1988; 53 FR 19368, May 27, 1988, as amended at 61 FR 59296, Nov. 21, 1996]

§ 99.21 Under what conditions does a parent or eligible student have the right to a hearing?

(a) An educational agency or institution shall give a parent or eligible student, on request, an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.

(b)(1) If, as a result of the hearing, the educational agency or institution decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall:

(i) Amend the record accordingly; and

(ii) Inform the parent or eligible student of the amendment in writing.

(2) If, as a result of the hearing, the educational agency or institution decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the agency or institution, or both.

(c) If an educational agency or institution places a statement in the education records of a student under paragraph (b)(2) of this section, the agency or institution shall:

(1) Maintain the statement with the contested part of the record for as long as the record is maintained; and

(2) Disclose the statement whenever it discloses the portion of the record to which the statement relates.

(Authority: 20 U.S.C. 1232g(a)(2))

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59296, Nov. 21, 1996]

§ 99.22 What minimum requirements exist for the conduct of a hearing?

The hearing required by §99.21 must meet, at a minimum, the following requirements:

(a) The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.

(b) The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.

(c) The hearing may be conducted by any individual, including an official of the educational agency or institution, who does not have a direct interest in the outcome of the hearing.

(d) The educational agency or institution shall give the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised under §99.21. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

(e) The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.

(f) The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

(Authority: 20 U.S.C. 1232g(a)(2))

Subpart D—May an Educational Agency or Institution Disclose Personally Identifiable Information From Education Records?

§ 99.30 Under what conditions is prior consent required to disclose information?

(a) The parent or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records, except as provided in §99.31.

(b) The written consent must:

(1) Specify the records that may be disclosed;

(2) State the purpose of the disclosure; and

(3) Identify the party or class of parties to whom the disclosure may be made.

(c) When a disclosure is made under paragraph (a) of this section:

(1) If a parent or eligible student so requests, the educational agency or institution shall provide him or her with a copy of the records disclosed; and

(2) If the parent of a student who is not an eligible student so requests, the agency or institution shall provide the student with a copy of the records disclosed.

(d) –Signed and dated written consent‖ under this part may include a record and signature in electronic form that—

(1) Identifies and authenticates a particular person as the source of the electronic consent; and

(2) Indicates such person's approval of the information contained in the electronic consent.

(Authority: 20 U.S.C. 1232g (b)(1) and (b)(2)(A))

[53 FR 11943, Apr. 11, 1988, as amended at 58 FR 3189, Jan. 7, 1993; 69 FR 21671, Apr. 21, 2004]

§ 99.31 Under what conditions is prior consent not required to disclose information?

(a) An educational agency or institution may disclose personally identifiable information from an education record of a student without the consent required by §99.30 if the disclosure meets one or more of the following conditions:

(1)(i)(A) The disclosure is to other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests.

(B) A contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official under this paragraph provided that the outside party—

(*1*) Performs an institutional service or function for which the agency or institution would otherwise use employees;

(*2*) Is under the direct control of the agency or institution with respect to the use and maintenance of education records; and

(*3*) Is subject to the requirements of §99.33(a) governing the use and redisclosure of personally identifiable information from education records.

(ii) An educational agency or institution must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. An educational agency or institution that does not use physical or technological access controls must ensure that its administrative policy for controlling access to education records is effective and that it remains in compliance with the legitimate educational interest requirement in paragraph (a)(1)(i)(A) of this section.

(2) The disclosure is, subject to the requirements of §99.34, to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

Note: Section 4155(b) of the No Child Left Behind Act of 2001, 20 U.S.C. 7165(b), requires each State to assure the Secretary of Education that it has a procedure in place to facilitate the transfer of disciplinary records with respect to a suspension or expulsion of a student by a local educational agency to any private or public elementary or secondary school in which the student is subsequently enrolled or seeks, intends, or is instructed to enroll.

(3) The disclosure is, subject to the requirements of §99.35, to authorized representatives of—

(i) The Comptroller General of the United States;

(ii) The Attorney General of the United States;

(iii) The Secretary; or

(iv) State and local educational authorities.

(4)(i) The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

(A) Determine eligibility for the aid;

(B) Determine the amount of the aid;

(C) Determine the conditions for the aid; or

(D) Enforce the terms and conditions of the aid.

(ii) As used in paragraph (a)(4)(i) of this section, *financial aid* means a payment of funds provided to an individual (or a payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at an educational agency or institution.

(Authority: 20 U.S.C. 1232g(b)(1)(D))

(5)(i) The disclosure is to State and local officials or authorities to whom this information is specifically—

(A) Allowed to be reported or disclosed pursuant to State statute adopted before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released; or

(B) Allowed to be reported or disclosed pursuant to State statute adopted after November 19, 1974, subject to the requirements of §99.38.

(ii) Paragraph (a)(5)(i) of this section does not prevent a State from further limiting the number or type of State or local officials to whom disclosures may be made under that paragraph.

(6)(i) The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to:

(A) Develop, validate, or administer predictive tests;

(B) Administer student aid programs; or

(C) Improve instruction.

(ii) An educational agency or institution may disclose information under paragraph (a)(6)(i) of this section only if—

(A) The study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information;

(B) The information is destroyed when no longer needed for the purposes for which the study was conducted; and

(C) The educational agency or institution enters into a written agreement with the organization that—

(*1*) Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;

(*2*) Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement;

(*3*) Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests;

and

(*4*) Requires the organization to destroy or return to the educational agency or institution all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be returned or destroyed.

(iii) An educational agency or institution is not required to initiate a study or agree with or endorse the conclusions or results of the study.

(iv) If this Office determines that a third party outside the educational agency or institution to whom information is disclosed under this paragraph (a)(6) violates paragraph (a)(6)(ii)(B) of this section, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five years.

(v) For the purposes of paragraph (a)(6) of this section, the term *organization* includes, but is not limited to, Federal, State, and local agencies, and independent organizations.

(7) The disclosure is to accrediting organizations to carry out their accrediting functions.

(8) The disclosure is to parents, as defined in §99.3, of a dependent student, as defined in section 152 of the Internal Revenue Code of 1986.

(9)(i) The disclosure is to comply with a judicial order or lawfully issued subpoena.

(ii) The educational agency or institution may disclose information under paragraph (a)(9)(i) of this section only if the agency or institution makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with—

(A) A Federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;

(B) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or

(C) An *ex parte* court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331.

(iii)(A) If an educational agency or institution initiates legal action against a parent or student, the educational agency or institution may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the educational agency or institution to proceed with the legal action as plaintiff.

(B) If a parent or eligible student initiates legal action against an educational agency or institution, the educational agency or institution may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the educational agency or institution to defend itself.

(10) The disclosure is in connection with a health or safety emergency, under the conditions described in §99.36.

(11) The disclosure is information the educational agency or institution has designated as –directory information‖, under the conditions described in §99.37.

(12) The disclosure is to the parent of a student who is not an eligible student or to the student.

(13) The disclosure, subject to the requirements in §99.39, is to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding conducted by the institution of postsecondary education with respect to that alleged crime or offense. The institution may disclose the final results of the disciplinary proceeding, regardless of whether the institution concluded a violation was committed.

(14)(i) The disclosure, subject to the requirements in §99.39, is in connection with a disciplinary proceeding at an institution of postsecondary education. The institution must not disclose the final results of the disciplinary proceeding unless it determines that—

(A) The student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and

(B) With respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies.

(ii) The institution may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student.

(iii) This section applies only to disciplinary proceedings in which the final results were reached on or after October 7, 1998.

(15)(i) The disclosure is to a parent of a student at an institution of postsecondary education regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if—

(A) The institution determines that the student has committed a disciplinary violation with respect to that use or possession; and

(B) The student is under the age of 21 at the time of the disclosure to the parent.

(ii) Paragraph (a)(15) of this section does not supersede any provision of State law that prohibits an institution of postsecondary education from disclosing information.

(16) The disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the educational agency or institution under 42 U.S.C. 14071 and applicable Federal guidelines.

(b)(1) *De-identified records and information.* An educational agency or institution, or a party that has received education records or information from education records under this part, may release the records or information without the consent required by §99.30 after the removal of all personally identifiable information provided that the educational agency or institution or other party has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

(2) An educational agency or institution, or a party that has received education records or information from education records under this part, may release de-identified student level data from education records for the purpose of education research by attaching a

code to each record that may allow the recipient to match information received from the same source, provided that—

(i) An educational agency or institution or other party that releases de-identified data under paragraph (b)(2) of this section does not disclose any information about how it generates and assigns a record code, or that would allow a recipient to identify a student based on a record code;

(ii) The record code is used for no purpose other than identifying a de-identified record for purposes of education research and cannot be used to ascertain personally identifiable information about a student; and

(iii) The record code is not based on a student's social security number or other personal information.

(c) An educational agency or institution must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the agency or institution discloses personally identifiable information from education records.

(d) Paragraphs (a) and (b) of this section do not require an educational agency or institution or any other party to disclose education records or information from education records to any party except for parties under paragraph (a)(12) of this section.

(Authority: 20 U.S.C. 1232g(a)(5)(A), (b), (h), (i), and (j)).

[53 FR 11943, Apr. 11, 1988; 53 FR 19368, May 27, 1988, as amended at 58 FR 3189, Jan. 7, 1993; 61 FR 59296, Nov. 21, 1996; 65 FR 41853, July 6, 2000; 73 FR 74852, Dec, 9, 2008; 74 FR 401, Jan. 6, 2009]

§ 99.32 What recordkeeping requirements exist concerning requests and disclosures?

(a)(1) An educational agency or institution must maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, as well as the names of State and local educational authorities and Federal officials and agencies listed in §99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent under §99.33(b).

(2) The agency or institution shall maintain the record with the education records of the student as long as the records are maintained.

(3) For each request or disclosure the record must include:

(i) The parties who have requested or received personally identifiable information from the education records; and

(ii) The legitimate interests the parties had in requesting or obtaining the information.

(4) An educational agency or institution must obtain a copy of the record of further disclosures maintained under paragraph (b)(2) of this section and make it available in response to a parent's or eligible student's request to review the record required under paragraph (a)(1) of this section.

(5) An educational agency or institution must record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception in §99.31(a)(10) and §99.36:

(i) The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and

(ii) The parties to whom the agency or institution disclosed the information.

(b)(1) Except as provided in paragraph (b)(2) of this section, if an educational agency or institution discloses personally identifiable information from education records with the understanding authorized under §99.33(b), the record of the disclosure required under this section must include:

(i) The names of the additional parties to which the receiving party may disclose the information on behalf of the educational agency or institution; and

(ii) The legitimate interests under §99.31 which each of the additional parties has in requesting or obtaining the information.

(2)(i) A State or local educational authority or Federal official or agency listed in §99.31(a)(3) that makes further disclosures of information from education records under §99.33(b) must record the names of the additional parties to which it discloses information on behalf of an educational agency or institution and their legitimate interests in the information under §99.31 if the information was received from:

(A) An educational agency or institution that has not recorded the further disclosures under paragraph (b)(1) of this section; or

(B) Another State or local educational authority or Federal official or agency listed in §99.31(a)(3).

(ii) A State or local educational authority or Federal official or agency that records further disclosures of information under paragraph (b)(2)(i) of this section may maintain the record by the student's class, school, district, or other appropriate grouping rather than by the name of the student.

(iii) Upon request of an educational agency or institution, a State or local educational authority or Federal official or agency listed in §99.31(a)(3) that maintains a record of further disclosures under paragraph (b)(2)(i) of this section must provide a copy of the record of further disclosures to the educational agency or institution within a reasonable period of time not to exceed 30 days.

(c) The following parties may inspect the record relating to each student:

(1) The parent or eligible student.

(2) The school official or his or her assistants who are responsible for the custody of the records.

(3) Those parties authorized in §99.31(a) (1) and (3) for the purposes of auditing the recordkeeping procedures of the educational agency or institution.

(d) Paragraph (a) of this section does not apply if the request was from, or the disclosure was to:

(1) The parent or eligible student;

(2) A school official under §99.31(a)(1);

(3) A party with written consent from the parent or eligible student;

(4) A party seeking directory information; or

(5) A party seeking or receiving records in accordance with §99.31(a)(9)(ii)(A) through (C).

(Approved by the Office of Management and Budget under control number 1880–0508)

(Authority: 20 U.S.C. 1232g(b)(1) and (b)(4)(A))

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59297, Nov. 21, 1996; 73 FR 74853, Dec. 9, 2008]

§ 99.33 What limitations apply to the redisclosure of information?

(a)(1) An educational agency or institution may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student.

(2) The officers, employees, and agents of a party that receives information under paragraph (a)(1) of this section may use the information, but only for the purposes for which the disclosure was made.

(b)(1) Paragraph (a) of this section does not prevent an educational agency or institution from disclosing personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the educational agency or institution if—

(i) The disclosures meet the requirements of §99.31; and

(ii)(A) The educational agency or institution has complied with the requirements of §99.32(b); or

(B) A State or local educational authority or Federal official or agency listed in §99.31(a)(3) has complied with the requirements of §99.32(b)(2).

(2) A party that receives a court order or lawfully issued subpoena and rediscloses personally identifiable information from education records on behalf of an educational agency or institution in response to that order or subpoena under §99.31(a)(9) must provide the notification required under §99.31(a)(9)(ii).

(c) Paragraph (a) of this section does not apply to disclosures under §§99.31(a)(8), (9), (11), (12), (14), (15), and (16), and to information that postsecondary institutions are required to disclose under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. 1092(f) (Clery Act), to the accuser and accused regarding the outcome of any campus disciplinary proceeding brought alleging a sexual offense.

(d) An educational agency or institution must inform a party to whom disclosure is made of the requirements of paragraph (a) of this section except for disclosures made under §§99.31(a)(8), (9), (11), (12), (14), (15), and (16), and to information that postsecondary institutions are required to disclose under the Clery Act to the accuser and accused regarding the outcome of any campus disciplinary proceeding brought alleging a sexual offense.

(e) If this Office determines that a third party outside the educational agency or institution improperly rediscloses personally identifiable information from education records in violation of this section, or fails to provide the notification required under paragraph (b)(2) of this section, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five years.

(Authority: 20 U.S.C. 1232g(b)(4)(B))

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59297, Nov. 21, 1996; 65 FR 41853, July 6, 2000; 73 FR 74853, Dec. 9, 2008]

§ 99.34 What conditions apply to disclosure of information to other educational agencies or institutions?

(a) An educational agency or institution that discloses an education record under §99.31(a)(2) shall:

(1) Make a reasonable attempt to notify the parent or eligible student at the last known address of the parent or eligible student, unless:

(i) The disclosure is initiated by the parent or eligible student; or

(ii) The annual notification of the agency or institution under §99.7 includes a notice that the agency or institution forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;

(2) Give the parent or eligible student, upon request, a copy of the record that was disclosed; and

(3) Give the parent or eligible student, upon request, an opportunity for a hearing under subpart C.

(b) An educational agency or institution may disclose an education record of a student in attendance to another educational agency or institution if:

(1) The student is enrolled in or receives services from the other agency or institution; and

(2) The disclosure meets the requirements of paragraph (a) of this section.

(Authority: 20 U.S.C. 1232g(b)(1)(B))

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59297, Nov. 21, 1996; 73 FR 74854, Dec. 9, 2008]

§ 99.35 What conditions apply to disclosure of information for Federal or State program purposes?

(a)(1) Authorized representatives of the officials or agencies headed by officials listed in §99.31(a)(3) may have access to education records in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs.

(2) Authority for an agency or official listed in §99.31(a)(3) to conduct an audit, evaluation, or compliance or enforcement activity is not conferred by the Act or this part and must be established under other Federal, State, or local authority.

(b) Information that is collected under paragraph (a) of this section must:

(1) Be protected in a manner that does not permit personal identification of individuals by anyone other than the officials or agencies headed by officials referred to in paragraph (a) of this section, except that those officials and agencies may make further disclosures of personally identifiable information from education records on behalf of the educational agency or institution in accordance with the requirements of §99.33(b); and

(2) Be destroyed when no longer needed for the purposes listed in paragraph (a) of this section.

(c) Paragraph (b) of this section does not apply if:

(1) The parent or eligible student has given written consent for the disclosure under §99.30; or

(2) The collection of personally identifiable information is specifically authorized by Federal law.

(Authority: 20 U.S.C. 1232g(b)(3))

[53 FR 11943, Apr. 11, 1988, as amended at 73 FR 74854, Dec. 9, 2008]

§ 99.36 What conditions apply to disclosure of information in health and safety emergencies?

(a) An educational agency or institution may disclose personally identifiable information from an education record to appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

(b) Nothing in this Act or this part shall prevent an educational agency or institution from—

(1) Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community;

(2) Disclosing appropriate information maintained under paragraph (b)(1) of this section to teachers and school officials within the agency or institution who the agency or

institution has determined have legitimate educational interests in the behavior of the student; or

(3) Disclosing appropriate information maintained under paragraph (b)(1) of this section to teachers and school officials in other schools who have been determined to have legitimate educational interests in the behavior of the student.

(c) In making a determination under paragraph (a) of this section, an educational agency or institution may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. If, based on the information available at the time of the determination, there is a rational basis for the determination, the Department will not substitute its judgment for that of the educational agency or institution in evaluating the circumstances and making its determination.

(Authority: 20 U.S.C. 1232g (b)(1)(l) and (h))

[53 FR 11943, Apr. 11, 1988; 53 FR 19368, May 27, 1988, as amended at 61 FR 59297, Nov. 21, 1996; 73 FR 74854, Dec. 9, 2008]

§ 99.37 What conditions apply to disclosing directory information?

(a) An educational agency or institution may disclose directory information if it has given public notice to parents of students in attendance and eligible students in attendance at the agency or institution of:

(1) The types of personally identifiable information that the agency or institution has designated as directory information;

(2) A parent's or eligible student's right to refuse to let the agency or institution designate any or all of those types of information about the student as directory information; and

(3) The period of time within which a parent or eligible student has to notify the agency or institution in writing that he or she does not want any or all of those types of information about the student designated as directory information.

(b) An educational agency or institution may disclose directory information about former students without complying with the notice and opt out conditions in paragraph (a) of this section. However, the agency or institution must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt out request.

(c) A parent or eligible student may not use the right under paragraph (a)(2) of this section to opt out of directory information disclosures to prevent an educational agency or institution from disclosing or requiring a student to disclose the student's name, identifier, or institutional e-mail address in a class in which the student is enrolled.

(d) An educational agency or institution may not disclose or confirm directory information without meeting the written consent requirements in §99.30 if a student's social security number or other non-directory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

(Authority: 20 U.S.C. 1232g(a)(5) (A) and (B))

[53 FR 11943, Apr. 11, 1988, as amended at 73 FR 74854, Dec. 9, 2008]

§ 99.38 What conditions apply to disclosure of information as permitted by State statute adopted after November 19, 1974, concerning the juvenile justice system?

(a) If reporting or disclosure allowed by State statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, an educational agency or institution may disclose education records under §99.31(a)(5)(i)(B).

(b) The officials and authorities to whom the records are disclosed shall certify in writing to the educational agency or institution that the information will not be disclosed to any other party, except as provided under State law, without the prior written consent of the parent of the student.

(Authority: 20 U.S.C. 1232g(b)(1)(J))

[61 FR 59297, Nov. 21, 1996]

§ 99.39 What definitions apply to the nonconsensual disclosure of records by postsecondary educational institutions in connection with disciplinary proceedings concerning crimes of violence or non-forcible sex offenses?

As used in this part:

Alleged perpetrator of a crime of violence is a student who is alleged to have committed acts that would, if proven, constitute any of the following offenses or attempts to commit the following offenses that are defined in appendix A to this part:

Arson

Assault offenses

Burglary

Criminal homicide—manslaughter by negligence

Criminal homicide—murder and nonnegligent manslaughter

Destruction/damage/vandalism of property

Kidnapping/abduction

Robbery

Forcible sex offenses.

Alleged perpetrator of a nonforcible sex offense means a student who is alleged to have committed acts that, if proven, would constitute statutory rape or incest. These offenses are defined in appendix A to this part.

Final results means a decision or determination, made by an honor court or council, committee, commission, or other entity authorized to resolve disciplinary matters within the institution. The disclosure of final results must include only the name of the student, the violation committed, and any sanction imposed by the institution against the student.

Sanction imposed means a description of the disciplinary action taken by the institution, the date of its imposition, and its duration.

Violation committed means the institutional rules or code sections that were violated and any essential findings supporting the institution's conclusion that the violation was committed.

(Authority: 20 U.S.C. 1232g(b)(6))

[65 FR 41853, July 6, 2000]

Subpart E—What Are the Enforcement Procedures?

§ 99.60 What functions has the Secretary delegated to the Office and to the Office of Administrative Law Judges?

(a) For the purposes of this subpart, *Office* means the Family Policy Compliance Office, U.S. Department of Education.

(b) The Secretary designates the Office to:

(1) Investigate, process, and review complaints and violations under the Act and this part; and

(2) Provide technical assistance to ensure compliance with the Act and this part.

(c) The Secretary designates the Office of Administrative Law Judges to act as the Review Board required under the Act to enforce the Act with respect to all applicable programs. The term *applicable program* is defined in section 400 of the General Education Provisions Act.

(Authority: 20 U.S.C. 1232g (f) and (g), 1234)

[53 FR 11943, Apr. 11, 1988, as amended at 58 FR 3189, Jan. 7, 1993]

§ 99.61 What responsibility does an educational agency or institution have concerning conflict with State or local laws?

If an educational agency or institution determines that it cannot comply with the Act or this part due to a conflict with State or local law, it shall notify the Office within 45 days, giving the text and citation of the conflicting law.

(Authority: 20 U.S.C. 1232g(f))

§ 99.62 What information must an educational agency or institution submit to the Office?

The Office may require an educational agency or institution to submit reports, information on policies and procedures, annual notifications, training materials, and other information necessary to carry out its enforcement responsibilities under the Act or this part.

(Authority: 20 U.S.C. 1232g(f) and (g))

[73 FR 74854, Dec. 9, 2008]

§ 99.63 Where are complaints filed?

A parent or eligible student may file a written complaint with the Office regarding an alleged violation under the Act and this part. The Office's address is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW., Washington, DC 20202.

(Authority: 20 U.S.C. 1232g(g))

[65 FR 41854, July 6, 2000, as amended at 73 FR 74854, Dec. 9, 2008]

§ 99.64 What is the investigation procedure?

(a) A complaint must contain specific allegations of fact giving reasonable cause to believe that a violation of the Act or this part has occurred. A complaint does not have to allege that a violation is based on a policy or practice of the educational agency or institution.

(b) The Office investigates a timely complaint filed by a parent or eligible student, or conducts its own investigation when no complaint has been filed or a complaint has been withdrawn, to determine whether an educational agency or institution has failed to comply with a provision of the Act or this part. If the Office determines that an educational agency or institution has failed to comply with a provision of the Act or this part, it may also determine whether the failure to comply is based on a policy or practice of the agency or institution

(c) A timely complaint is defined as an allegation of a violation of the Act that is submitted to the Office within 180 days of the date of the alleged violation or of the date that the complainant knew or reasonably should have known of the alleged violation.

(d) The Office may extend the time limit in this section for good cause shown.

(Authority: 20 U.S.C. 1232g(f))

[53 FR 11943, Apr. 11, 1988, as amended at 58 FR 3189, Jan. 7, 1993; 65 FR 41854, July 6, 2000; 73 FR 74854, Dec. 9, 2008]

§ 99.65 What is the content of the notice of investigation issued by the Office?

(a) The Office notifies the complainant, if any, and the educational agency or institution in writing if it initiates an investigation under §99.64(b). The notice to the educational agency or institution—

(1) Includes the substance of the allegations against the educational agency or institution; and

(2) Directs the agency or institution to submit a written response and other relevant information, as set forth in §99.62, within a specified period of time, including information about its policies and practices regarding education records.

(b) The Office notifies the complainant if it does not initiate an investigation because the complaint fails to meet the requirements of §99.64.

(Authority: 20 U.S.C. 1232g(g))

[73 FR 74855, Dec. 9, 2008]

§ 99.66 What are the responsibilities of the Office in the enforcement process?

(a) The Office reviews a complaint, if any, information submitted by the educational agency or institution, and any other relevant information. The Office may permit the parties to submit further written or oral arguments or information.

(b) Following its investigation, the Office provides to the complainant, if any, and the educational agency or institution a written notice of its findings and the basis for its findings.

(c) If the Office finds that an educational agency or institution has not complied with a provision of the Act or this part, it may also find that the failure to comply was based on a policy or practice of the agency or institution. A notice of findings issued under paragraph (b) of this section to an educational agency or institution that has not complied with a provision of the Act or this part—

(1) Includes a statement of the specific steps that the agency or institution must take to comply; and

(2) Provides a reasonable period of time, given all of the circumstances of the case, during which the educational agency or institution may comply voluntarily.

(Authority: 20 U.S.C. 1232g(f))

[53 FR 11943, Apr. 11, 1988, as amended at 73 FR 74855, Dec. 9, 2008]

§ 99.67 How does the Secretary enforce decisions?

(a) If an educational agency or institution does not comply during the period of time set under §99.66(c), the Secretary may take any legally available enforcement action in accordance with the Act, including, but not limited to, the following enforcement actions available in accordance with part E of the General Education Provisions Act—

(1) Withhold further payments under any applicable program;

(2) Issue a compliant to compel compliance through a cease-and-desist order; or

(3) Terminate eligibility to receive funding under any applicable program.

(b) If, after an investigation under §99.66, the Secretary finds that an educational agency or institution has complied voluntarily with the Act or this part, the Secretary provides the complainant and the agency or institution written notice of the decision and the basis for the decision.

(Note: 34 CFR part 78 contains the regulations of the Education Appeal Board)

(Authority: 20 U.S.C. 1232g(f); 20 U.S.C. 1234)

[53 FR 11943, Apr. 11, 1988; 53 FR 19368, May 27, 1988, as amended at 58 FR 3189, Jan. 7, 1993; 73 FR 74855, Dec. 9, 2008]

Appendix A to Part 99—Crimes of Violence Definitions

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Assault Offenses

An unlawful attack by one person upon another.

Note: By definition there can be no –attempted‖ assaults, only –completed‖ assaults.

(a) *Aggravated Assault.* An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious injury if the crime were successfully completed.)

(b) *Simple Assault.* An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

(c) *Intimidation.* To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words or other conduct, or both, but without displaying a weapon or subjecting the victim to actual physical attack.

Note: This offense includes stalking.

Burglary

The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

Criminal Homicide—Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide—Murder and Nonnegligent Manslaughter

The willful (nonnegligent) killing of one human being by another.

Destruction/Damage/Vandalism of Property

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Kidnapping/Abduction

The unlawful seizure, transportation, or detention of a person, or any combination of these actions, against his or her will, or of a minor without the consent of his or her custodial parent(s) or legal guardian.

Note: Kidnapping/Abduction includes hostage taking.

Robbery

The taking of, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of a person or persons by force or threat of force or violence or by putting the victim in fear.

Note: Carjackings are robbery offenses where a motor vehicle is taken through force or threat of force.

Sex Offenses, Forcible

Any sexual act directed against another person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent.

(a) *Forcible Rape* (Except –Statutory Rape‖). The carnal knowledge of a person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity (or because of his or her youth).

(b) *Forcible Sodomy.* Oral or anal sexual intercourse with another person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

c) *Sexual Assault With An Object.* To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly or against that person's will, or both; or not forcibly or against the person's will

where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

Note: An –object‖ or –instrument‖ is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.

(d) *Forcible Fondling.* The touching of the private body parts of another person for the purpose of sexual gratification, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

Note: Forcible Fondling includes –Indecent Liberties‖ and –Child Molesting.‖

Nonforcible Sex Offenses (Except –Prostitution Offenses‖)

Unlawful, nonforcible sexual intercourse.

(a) *Incest.* Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

(b) *Statutory Rape.* Nonforcible sexual intercourse with a person who is under the statutory age of consent.

(Authority: 20 U.S.C. 1232g(b)(6) and 18 U.S.C. 16)

[65 FR 41854, July 6, 2000]

APPENDIX A

8TH CASE of Level I Printed in FULL format
Office of the Attorney General of Mississippi
Slip Opinion
February 9, 1981

Re: Privacy of Student Records-Rights of Non-custody Parents

Dr. J. D. Prince, Superintendent
Tupelo Municipal Separate School District
P. O. Office Box 557
Tupelo, Mississippi 38801

Attorney General Allain has received your letter of request dated January 19, 1981, and has assigned it to me for research and reply. Your inquiry States as follows:

There are instances where divorce courts grant custody of the children to one parent. We recognize that custody refers to the physical possession of the child by one parent excluding the other. Often times parents with custody want to keep the other parent cut off from information about the children. We face a problem in that Federal records specifically instruct us to allow "parents" to have access to the school records of their children. The definition of "parent" does not indicate whether or not the parent has or does not have custody.

Our specific question is, "If a non-custody parent asks to receive copies of student's report cards or requests to look at the cumulative record folder or desires to obtain other information relating to the child's academic progress, are we permitted to provide such records for the non-custody parent in the absence of a court order specifically restricting us from showing such records to the non custody parent?"

The family Educational Rights and Privacy Act of 1974 found at 20 USC@1232 (g make no distinction between custody and non-custody parents.

Therefore, if a non-custody parent requests information concerning his child's records, the school district would be permitted to provide such records in the absence of a court order terminating the parental right.

If this office can be of benefit in the future, please do not hesitate to contact us.

ALLAIN, ATTORNEY GENERAL
By Susan L. Runnels, Special Assistant

BILL ALLAIN, ATTORNEY GENERAL
By Susan L. Runnels, Special Assistant Attorney General

APPENDIX B

STATE CODES

Entry Codes

E1 First regular enrollment this year

E2 Transfer from another grade in this school

E3 Transfer from another school in this district

E4 Transfer from another public school in Mississippi

E5 Transfer from a nonpublic school in Mississippi

E6 Transfer from another state or country

E7 Transfer within school (same grade)

E8 Transfer from an approved community-based GED program

E9 Transfer from home school

R1 Re-entries of withdrawals

Withdrawal Codes

T1 Transfer to another grade in this school

T2 Transfer to another school in this district

T3 Transfer to another public school in Mississippi

T4 Transfer to a nonpublic school in Mississippi

T5 Transfer to another state or country

T6 Transfer to another room within school (same grade)

T7 Transfer to an approved community-based GED program

T8 Transfer to home school

C1 Completers-High School Graduates (Diploma)

C2 Completers-Other High School Graduates (Certificates/GED)

Dropouts

01 Physical illness or physical disability
02 Drug and/or alcohol problems
03 Emotional disturbances
04 Behavioral difficulty exclusive of suspension/expulsion
05 Suspended/Expelled
06 Restrained by court action
07 Would/could not keep up with work/was failing
08 Peer pressure
09 Felt I did not belong
10 Disliked school experience
11 Over compulsory attendance age
12 Entered a GED program or an institutional program not primarily educational
13 Lack of parental support/interest
14 Must care for family member
15 Economic reasons
16 Married
17 Pregnant
18 Whereabouts unknown
19 Reason unknown
20 Other (Specify)
Z1 Death of pupil