



Record Requests

Student Records (FERPA)

vs.

Texas Public Information Act (TPIA)

Agenda

- Definitions
 - District Records
 - Student Records
- Student Records Requests (FERPA)
- District Records Requests (TPIA)

District Record

Per Board Policy CPC (Legal)

- “Local government record” means **any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information-recording medium, regardless of physical form or characteristic** and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a district or any of its officers or employees, pursuant to law or in the transaction of public business. The term does not include:
 1. Extra identical copies of documents created only for convenience of reference or research by district officers or employees.
 2. Notes, journals, diaries, and similar documents created by a district officer or employee for his or her own personal convenience.
 3. Blank forms, stocks of publications, and library and museum materials acquired solely for the purposes of reference or display.
 4. Copies of documents in any media furnished to the public under the Open Records Act or other state law.

Local Government Records Act, Chapter 201, Local Government Code

Student Records

Per Board Policy FL (Legal)

- A cumulative record shall be maintained for each student from enrollment in a District school until withdrawal or graduation from the District. This record shall move with the student from school to school while the student is enrolled in the District. Upon withdrawal or graduation, the record shall be maintained at the last school of attendance. Records for non-enrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent and/or records management officer.
- The **campus principal** is **custodian of all records** for active enrolled students. The Superintendent or designee is the custodian of records for all inactive students who have withdrawn or graduated.
- The **custodian of records** shall be responsible for the education records of the District.



District Records

Student Records

Student Records (FERPA)

- Family Educational Rights and Privacy Act
- Generally - Full access to “parents,” but extremely limited access to anyone else

Common Student Record Requests

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

NOTE: Any request for records other than “educational records,” must be processed under the Texas Public Information Act.

Requestor	Request	Proper Documentation	Processed By	Deadline
Request from Parent or Eligible Student	Online (Scribbles) or in writing, ID confirmed	Written request placed in student folder. Online request retained by system.	Campus	45 days per FERPA
District Employee with Educational Interest	None required	Not required	Campus	ASAP
Request from CPS	Any format, as long as properly identified as DPS	Place copy of request in student folder.	Campus or Document Services	ASAP
Court, Attorney, or Record Retrieval Service	Written request with authorization and/or subpoena	Place a copy of request in student folder.	Document Services	45 days per FERPA or in compliance with subpoena
Education Verification – only directory information provided	Online (Scribbles) or in writing	Written request placed in student folder. Online request retained by system.	Campus	10 business days
Third Party with signed authorization by Parent or Eligible Student	Online (Scribbles) or in writing	Written request placed in student folder. Online request retained by system.	Campus or Document Services	45 days per FERPA
Directory Information – individual student	Online (Scribbles or GovQA) or in writing	Written request placed in student folder. Online request retained by system.	Campus or Document Services	10 business days
Directory Information – multiple students or campus/district list	Online (GovQA) or in writing	Online request retained by system.	Campus or Document Services	10 business days
District Campus Designated SRO	Educational Interest	Not required	Campus	ASAP
Outside Law Enforcement	Requires written request with authorization or subpoena	Written request placed in student folder. Online request retained by system.	Campus or Document Services	45 days per FERPA or in compliance with subpoena

Processing Student Records Requests

Request for “educational records” are processed by the campus records clerk or registrar and/or Document Services depending on who and/or how the records are requested.

- Request should be processed and tracked through Scribbles (ScribOrder).
- Refer Requestor’s to District webpage or Scribbles at <https://iisdtx.scriborder.com/>
- Employee portal for processing- Contact Document Services for access and training information.

District Records (TPIA)

- Texas Public Information Act (TPIA or PIA)
- AKA Open Records Requests or ORR
- Generally – Government entities strive for FULL transparency. Full access to all citizens with extremely limited exceptions

When your campus or department is asked for responsive records to a TPIA, please **provide any and all records** that are responsive to the request. We need a clean copy of all the records. Document Services and Legal will review the records to ensure they are responsive and protect any confidential information.

Public Information

Per Board Policy GBA (Legal)

- Public information is available, at a minimum, to the public during a district's normal business hours. *Gov't Code 552.021*

Per Board Policy CPC (Legal)

- “Custodian” means the appointed or elected public officer who by the state constitution, state law, ordinance, or administrative policy **is in charge of an office that creates or receives local government records.**

Public Information Request

Per Section 552.001 of the Government Code:

- **TPIA.** The Texas Public Information Act (the “Public Information Act” also known as the “Open Records Act” or “Freedom of Information”) gives the public the right to request access to government information.
- **Making a Request.** Public Information Act (the “Act) is triggered when a person submits a written request to the District. The request must ask for records or information already in existence. The Act does not require the District to create new information, to do legal research, or to answer questions.

Processing Public Information Requests

District personnel may receive TPIA requests through any of the following means. Please follow the directions below to ensure these requests are and handled properly by the District. Significant penalties can result from the mishandling of TPIA requests.

- **Online** – requestor submits at <https://irvingtxisd.mycusthelp.com/WEBAPP/rs/supporthome.aspx>.
- **U.S. Mail** - scan **immediately** to Document Services or upload in GovQA.
- **Email** - requires a reply of: *“All requests for public information are processed in accordance with the Texas Public Information Act. Please submit your request at:*
[https://irvingtxisd.mycusthelp.com/WEBAPP/rs/\(S\(qfol1to5fstyqhc1wtvvd1h\)\)/supporthome.aspx](https://irvingtxisd.mycusthelp.com/WEBAPP/rs/(S(qfol1to5fstyqhc1wtvvd1h))/supporthome.aspx); or directly to open_records_request@irvingisd.net.
- **Fax** - must be faxed directly to Document Services at 972-252-4754.
- **In Person** – requestors should be directed to Document Services located at Irving ISD’s Service Center, 3620 Valley View, Irving, Texas.

Processing Public Information Requests (GovQA)

Document Services serves as the primary contact for processing all written requests for documents sent to Irving ISD.

- Requests will be processed and tracked through GovQA as of February 1, 2017.
- Refer requestors to the district webpage or GovQA portal - <https://irvingtxisd.mycusthelp.com/WEBAPP/rs/supporthome.aspx>
- Employee portal for processing – Contact Document Services for access and training information.
- Campus End Users – Principal (primary) and Secretary (backup)
 - Administrative End Users – Department Administrator (primary) and Assistant/Secretary (backup)