

SCHOOL DISTRICT RECORDS: KEEPING TRACK OF IT ALL

Fall 2023

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1

Keeping Track of it all

Agenda

- Types of School Records
- Records Retention
- Sharing Records
- Protecting Records

Questions?

2

Types of School Records

Quiz - Which of these is/are not a school record?

- A copy of the School Board agenda
- An email sent to you with the approved minutes of the last School Board meeting
- The file you submitted to CEPI for your Fall General Collection
- The log of your IM messages with your colleagues
- The backup tape of your SIS system's data that is stored remotely

3

Types of School Records

4 general types of records

- Personal Records
- Non-Records
- Transitory Records
- Official Records

4

Types of School Records

Personal Records

Records or documents at your workplace that are unrelated to your job

- *An email from your spouse asking you to buy milk on the way home*
- *You family recipe book that you are working on over your lunch break*
- *Your IM chain with your office mates deciding what to have for lunch*
- *Emails coming to you as a member of your child's school's PTA*

5

Types of School Records

Personal Records

- ***Retention:***
 - There is no requirement to retain these records
 - May violate your District's policies
- ***Best Practice:***
 - Do not violate your District's policies on non-work use of district resources, and delete all non-work information ASAP

6

Types of School Records

Non-Records

Documents in the possession of the district not being used to record an official function

- *Copies of documents or records*
- *Draft versions of documents*
- *Old versions of SOME documents*
- *Letters of transmittal that add no information*
- *Notes or recordings that have transcribed to a permanent record*

7

Types of School Records

More Non-Records

- *Publications that are received from the outside as reference materials*
- *Mass mailings you receive*
- *Advertisements, SPAM, and junk mail*
- *Tracking documents or checklists that provide assistance in business processes*
- *Internal documents kept for your individual use as a reference*

8

Types of School Records

Non-Records

- ***Retention:***
 - There is no requirement to retain these records
 - May keep or dispose of when they are no longer needed
- ***Best Practice:***
 - Maintain an effective filing/recordkeeping system that allows efficient recall of needed information, and quick disposal when no longer needed.

9

Types of School Records

Transitory Records

- Temporary value, work related, but no lasting value*
- *Email from your boss saying you can sign up for a conference*
 - *IM from a colleague asking you to buy more pens*
 - *Paper memo moving the time/place of the next staff meeting*
 - *Email you send a colleague asking for a copy of last month's financials*

10

Types of School Records

Transitory Records

- **Retention:**
 - Retain these records as long as the situation they refer to lasts, or they are replaced with updated documents/records
 - May keep or dispose of when they are no longer needed
- **Best Practice:**
 - Maintain an effective filing/recordkeeping system that allows efficient recall of needed information, and quick disposal when no longer needed.
 - Make sure official documents are created to replace the temporary ones, or else they may become official.

11

Types of School Records

Official Records

Documents and information that is prepared, owned or used in the performance of the district's official functions

- *Purchase order approving payment of your conference registration*
- *Student Transcripts*
- *MSDS submission files*

12

Official School Records

Retention Policy

*State of Michigan Records management Service
Retention and Disposal Schedule*

<https://www.michigan.gov/dtmb/services/records/management/schedules/glocal>

Or

google 'Michigan records retention schedule for schools' – select 1st choice

13

Records can exist in a wide variety of formats, including paper, maps, photographs, digital images, e-mail messages, databases, etc. The retention periods defined within general schedules do not specify the format that the record may exist in, because each government agency that follows this schedule may choose to retain its records using different recording media. Local government agencies are responsible for ensuring that their records are properly retained and remain accessible during this entire retention period. Various laws identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws.

General Schedules for Local Government

Updated 1-31-2022

- ⊕ City and Village Schedules
- ⊕ County Schedules
- ⊕ Township Schedules
- ⊕ **Public School District Schedules**
- ⊕ Court Schedules
- ⊕ College and University Schedules

14

**GENERAL RETENTION SCHEDULE #2
MICHIGAN PUBLIC SCHOOLS
APPROVED APRIL 11, 2023**

This General Retention and Disposal Schedule covers records commonly maintained by public and charter schools, school districts, and intermediate school districts. This schedule supersedes the schedule that was approved on December 7, 2010. The records that are described on the attached pages are deemed necessary (1) for the continued effective operation of Michigan government, (2) to constitute an adequate and proper recording of its activities, and (3) to protect the legal rights of the government of the State of Michigan and of the people. This schedule meets the administrative, legal, fiscal and archival requirements of the State of Michigan.

TABLE OF CONTENTS	PAGE NUMBER	ITEM NUMBERS
Table of Contents	Page 1	
General Administrative	Pages 2 - 3	100 - 109
Superintendent/Board of Education	Pages 4 - 6	200 - 220
Business Office	Pages 7 - 11	300 - 331
Personnel	Pages 12 - 16	400 - 424
Payroll	Pages 17 - 18	500 - 511
Pupil Accounting	Pages 19 - 20	600 - 608
Instruction	Page 21	700 - 703
Information Technology	Pages 22 - 23	800 - 808
Security/Public Safety	Page 24	900 - 908
Facility Operations	Pages 25 - 26	1000 - 1011
Food Service	Pages 27 - 29	1100 - 1122
Transportation	Pages 30 - 31	1200 - 1211
Television Services	Page 32	1300 - 1304
Schools - Student Records	Pages 33 - 34	1400 - 1412
Schools - Building Administration	Pages 35 - 37	1500 - 1521
Schools - Guidance Counseling	Page 38	1600 - 1603
Schools - Special Education	Page 39	1700 - 1702
Schools - Early Childhood Education	Page 40	1800 - 1802
Schools - Library	Page 41	1900
Schools - Athletics	Page 42	2000 - 2006
Professional Development	Page 43	2100 - 2104
Community Education	Page 44	2200 - 2204
Record Retention Guide	Pages 45 - 49	

15

Retention and Disposal Schedule

Retention Policy

- *236 different specific types of documents across 22 different areas*
- *Minimum retention period - actual use*
 - Discard when no longer needed
- *Maximum retention – permanent*
 - You may not EVER discard

16

Retention and Disposal Schedule

Retention Policy – Some highlights

- *General correspondence – 2 years after creation*
 - Paper and electronic
- *Meeting minutes/records(non-Board) – 2 years*
- *Board meeting minutes & documents – Permanent*
- *Financial records (most of them) – 7 years*
- *Personnel files – employment + 6 years*
 - Cited for unprofessional conduct – 50 years

17

Retention and Disposal Schedule

Retention Policy – More highlights

- *Payroll register – 50 years*
 - MSPERS retirement info
- *Pupil Accounting records (locals) – 3 years*
- *Pupil Accounting records (ISD) – 7 years*
- *CA-60 files – Graduation + 60 years*
- *Any non-special ed record IN the CA-60 - Graduation*

18

State of Michigan
Records Management Services
General Schedule for Michigan Public Schools

Department	Item Number	Series Title	Series Description	Retention Period	Approval Date
Schools - Student Records	1400A-	Student Files and Data - Academic Records (formerly CA-60) (supersedes item #1407, 1408, 1409)	These records document each student enrolled in classes at the school district (including adult education, cooperative education such as career and technical education, shared time pupils, and dual enrollment pupils), and follow the student from enrollment through graduation, transfer, or withdrawal. The academic records include personal information about the student that may be collected on the CA-60 form/folder, on some other form that is used by the school district, or in the student information system, transcripts, approved personal curriculums, withdrawal documents, and GED test results, as well as disclosure documents, amendment documents, and destruction documents that are applicable to the academic records.	RETAIN UNTIL: Student graduates or student's expected graduation date PLUS: 60 years THEN: Destroy	4/11/2023

19

Schools - Student Records	1400B-	Student Files and Data - Other Records (supersedes item #1407, 1408, 1409)	These records document each student enrolled in classes at the school district (including adult education, cooperative education such as career and technical education, shared time pupils, and dual enrollment pupils). They may include, but may not be limited to, most recent enrollment records, emergency contact information, photos from each school year, early childhood education program records, school of choice applications, attendance records, report cards, academic progress reports, educational development plans (EDP), court orders (relating to divorce, custody, foster care, etc.), disciplinary records (including police reports, suspension or expulsion notices, etc.), age of majority release forms, social developmental evaluations, non-special education service notes and assessments and evaluations, language assessments, and correspondence, as well as disclosure documents, amendment documents, and destruction documents that are applicable to the non-academic records.	RETAIN UNTIL: Student graduates, or student's expected graduation date THEN: Destroy	4/11/2023
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20

Retention and Disposal Schedule

Retention Policy – best practices

- *For each area of documents – determine who is the Keeper of the official record*
- *Make sure all Keepers know what they are responsible for, and the schedule for their records*
- *Permanent records may be given to State Archives for storage*

21

Sharing Records

FOIA and FERPA

- **Freedom of Information Act (FOIA)**
 - *All District records not exempted may be requested*
- **Federal Educational Rights and Privacy Act (FERPA)**
 - *Allows student record to be seen by appropriate individuals*

22

Sharing Records

Release of records under FOIA

- Anyone can request records from a public body
- Ask to inspect, copy, or receive a copy of the record
- No age restrictions (cannot refuse the request of a minor BECAUSE they are a minor)
- 5 days to respond with the record, or request for more information, or a 10 day extension to prepare for complex requests
- Not required to CREATE documents, merely share existing ones

23

Sharing Records

Review of records under FERPA

- Parents have the right to view their children's educational records
- Students assume that right when they turn 18
- Districts have obligation not to share records with outside parties without parental consent
- Districts must provide parents notice of their rights under FERPA

24

Protecting Records

FOIA and FERPA

- Freedom of Information Act (FOIA)
 - *Exempt records are not required to be shared*
 - *Reasonable costs can be charged*
- Federal Educational Rights and Privacy Act (FERPA)
 - *Any record containing Personally Identifiable Information (PII) is protected*

25

Protecting Records

FOIA Exceptions

- Student records covered by FERPA
 - *FERPA trumps FOIA*
- Law enforcement records
- Records covered by attorney-client privilege
- Pending bids on public contracts
- Test questions and answers or scoring keys
- records relating to civil actions
- Requests by prisoners in County, state or federal correctional facilities

26

Protecting Records

FERPA Protections

- District may not disclose information without parental consent, unless:
 - *Directory Information*
 - *Exempt recipient*

27

Protecting Records (FERPA)

Directory information

- Information that is not harmful, or intrusive to privacy
 - *Name*
 - *Address & other contact information*
 - *Date and place of birth*
 - *May NEVER include Social security number*
- District may determine what it constitutes directory information

28

Protecting Records (FERPA)

Directory information

- May be disclosed without consent if:
 - *Annually, notice is given to all parents of what records district deems to be directory*
 - *Gives parents the option to opt out of disclosure*
- If parent opts out, Directory info for that student **MUST NOT BE PROVIDED.**
 - *Most SIS have FERPA opt-out check boxes*
 - *Important that custom reports reference that status*

29

Protecting Records (FERPA)

Exempt recipients (within the district)

- Records may be shared with:
 - *Employees of the district with a 'legitimate educational interest'*
 - *Teachers, administrators*
 - *Attorneys, counselors, nurses*
 - *IT staff*
 - *Contractors, consultants, 3rd parties providing services*

30

Protecting Records (FERPA)

Exempt recipients (outside the district)

- Records may be shared with:
 - *Public health and law enforcement*
 - *Emergency responders*
 - Only for imminent or already existing emergencies. Not as preparation for future hypothetical events

31

Protecting Records (FERPA)

Exempt recipients (outside the district)

- Records may be shared with:
 - *School a student transfers to*
 - *Accrediting organizations*
 - *Local, state or federal officials with audit or program evaluation needs*
 - *Organizations the student has applied to for admission for school, or for financial aid*
 - *To comply with a subpoena or judicial order*

32

Getting Help

FOIA Assistance

- *Michigan Attorney General Website*
- <https://www.michigan.gov/ag/foia>

OR

- *Go to www.michigan.gov/ag*
- *Choose 'FOIA and Open Meetings' from top menu*

33

Getting Help

FOIA Assistance

- *Frequently Asked Questions*
- *Informational pamphlets to distribute*
- *All current legal citations*
- *Open Meetings handbook as well*

34

Getting Help

FERPA Training assistance

- Privacy Technical Assistance Center (PTAC)
 - *Part of US Department of Education*
- <https://studentprivacy.ed.gov/>
- Rules, current case law
- Training videos
- Will track learning, provide documentation of compliance
- Excellent source for training staff

35

Questions?

- *Michigan Pupil Accounting Association*
 - Rob Dickinson, Executive Director
 - (517) 853-1413
 - rob@mpaaa.org

36