

**6A-1.0955 Education Records.**

(1) No change.

(2) Definitions.

(a) through (k) No change.

(l) “Third-party vendor” or “Third-party service provider” means any entity, whether public or private, that provides services to a school board or institution through a contract or agreement. The term does not include the Florida Department of Education, or the Department’s contractors and subcontractors, and School Boards and School Districts as defined in paragraph (2)(g).

(3) through (7) No change.

(8) Each school board must adopt a policy for educational records which must include:

(a) through (b) No change.

(c) Provisions for parents and eligible ~~eligible~~ students to exercise the right of waiver of access to confidential letters or statements. School districts may not require that parents or eligible ~~eligible~~ students waive any of their rights under Section 1002.22(2), F.S. and FERPA;

(d) through (l) No change.

(m) Provisions for parents to specify the use of any deviation from their child’s legal name in school. School districts will develop a form to obtain parental consent along with any required documentation, as appropriate.

(9) No change.

(10) Procedures for transfer of education records.

(a) through (b) No change.

(c) The transfer of records of students who transfer from school to school must occur within five (5) ~~three (3)~~ school days of receipt of the request for records from the new school or district, or receipt of the identity of the new school and district of enrollment, whichever occurs first. Student records must contain verified reports of serious or recurrent behavior patterns, including substantive and transient threat assessments and intervention services, and psychological evaluations, including therapeutic treatment plans and therapy progress notes created or maintained by district or charter school staff. Non-threats as described in subsection (6) must not be transferred with a student’s educational record unless one of the conditions described in subparagraphs (6)(b)1. and 2. are met.

(11) through (12) No change.

*Rulemaking Authority 1001.02(1), 1002.22(3), 1003.25(2), 1008.405 FS. Law Implemented 1001.42(8)(c), 1001.52(2), (3), 1002.22(2), (3), 1002.221, 1003.25, 1008.405 FS. History—New 4-11-70, Repromulgated 12-5-74, Revised 6-1-75, Amended 10-7-75, 2-21-77, 3-1-78, 5-24-81, Formerly 6A-1.955, Amended 6-17-87, 1-2-95, 10-25-10, 5-5-20, 11-22-22.*