

Guide to Records and Information Requests

Records/Information Request Type	Office Responsible	Timeline for Production	Charge for Records Yes/No	Special Notes	Processing
Open Records Request or Texas Public Information Request (TPIA).	Superintendent's office will send to the department or campus in order for them to collect the documents requested	10 Business days for production or notification to request or within 10 days of request of estimated time to collect documents	Yes (If copies will exceed \$40.00, written notice to be provided to requestor)	There is no charge to the media and other governmental entities. Please see explanation of how to handle requests for emails at the end of this document.	The department or campus to which the request is sent needs to be certain that the deadline for providing the superintendent's office the documents is met - no exceptions.
*FERPA request for records from one campus.	Campus at which student is enrolled.	No timeline but, under FERPA, access to the requested education records must be granted within a "reasonable" period of time, but no later than 45 calendar days after the date FSD received the request	Yes (If copies will exceed \$40.00, written notice to be provided to requestor)	Only parents can authorize the release of their child(ren's) records if child is under the age of 18. If parents are divorced, either parent is entitled to copies unless the parental rights have been terminated by the court.	It is imperative that staff track the request for records to ensure timelines are met. Documentation should be placed in the student's file referencing the request. <i>If Special Education student, the Director of Special Education will provide official copies of Special Education records to campus.</i>
*FERPA request for records from multiple campuses and/or departments.	The request should be forwarded to the Records Management Department, Superintendent's Office. Staff in that department will coordinate collection of records from multiple sites.		Yes (If copies will exceed \$40.00, written notice to be provided to requestor)	Only parents can authorize the release of their child(ren's) records if the child is under the age of 18. If parents are divorced, either parent is entitled to copies unless the parental rights have been terminated by the court.	It is imperative that staff track the request for records to ensure timelines are met. Documentation should be placed in the student's file referencing the request. <i>If Special Education student, the Director of Special Education will provide official copies of Special Education records to Records Management Department.</i>

*FERPA is the Family Educational and Privacy Act. It protects students' personally identifiable information and gives students (and parents of those students) access to their educational records.

NOTE: When a formal records request includes email correspondence, if the request requires staff to read and/or redact email messages, the process may take additional time and require significant charges.

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Subpoena for records of current student with a Business Records Affidavit attached.	Custodian of the Records Superintendent's Office.	Custodian of Records fills out the Business Records Affidavit, has it notarized, collects copies of records and calls the requestor to have records picked up.	Yes (If copies will exceed \$40.00, written notice to be provided to requestor)	The Business Records Affidavit signed and notarized will substitute for a person having to appear in court. Requests for Special Education records should be sent to the Director of Special Education.	
Subpoena for records of former students	Records Management Department, Superintendent's Office	Records Management will collect all documents and notify the requestor.	Yes if requested by attorney. No if requested by the court or District Attorney		
Subpoena for records of former students who no longer attend the school.	Campus that receives the subpoena. If student has not been enrolled on the campus for 2 years or more, the Records Management Dept, should be contacted.	Comply with date requested on subpoena.	Yes if requested by attorney. No if requested by the court or District Attorney.	Requests for special education records should be sent to the Director of Special Education. FISD required to retain records as per the State Records Control Schedule (RCS).	
Subpoena for records of current students and notification for Custodian of Records to appear in court.	Campus at which student is enrolled.	The Principal is the Custodian of Records and must take the requested records to court at time specified in the subpoena.	No	Parents of students must be notified that the school has received a subpoena and of the intent to comply. Request for Special Education records should be sent to the Director of Special Education.	In most cases if the Principal will call the party who issued the subpoena and request to be put on call to come to court, the attorney will honor the request. <i>If Special Education student, the Director of Special Education will provide official copies of Special Education records to campus.</i>
Request by an attorney to talk to teachers.	Call should be referred to the Principal who will inform the attorney that the District's procedure is for teachers to share information only by way of a subpoena.	If an attorney requests to speak to a teacher to gather information, we advise the attorney that they will need to subpoena the staff member.	N/A	If attorney wants records, advise that parent may request records and then attorney.	
Request by an attorney <i>adlitem</i> assigned by the court to protect the interests of the children (usually involves a custody case).	Campus at which student is enrolled.	Staff must have proof that the court has appointed this attorney to protect the rights of the children and, If so, the staff may talk to the attorney.	N/A	You can always call the court and ask the Bailiff to confirm the attorney is assigned to protect the interest of the students.	

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Court Order to Seal Records	Contact the Superintendent's Office				
Telephone call requesting to know if a specific student is enrolled in one of our schools	Principal/Assistant Principal, District Staff, preferably an administrator should address these questions.	WE DO NOT give this information out over the phone. We cannot release any student information to anyone without permission from the parent	N/A	If the person is out of town and send you their identification and proof they are the parent, contact the parent who enrolled the child and allow them to give direction	If person persists and will not take no for an answer, call may be referred to the Superintendent's Office.
Parent who did not enroll the student wants to know if their child(ren) is enrolled in school	Principal/Assistant Principal, District Staff, preferably an administrator should address these questions.	Person must prove they are the parent and that parental rights have not been terminated. If there is proof, staff should call the parent who enrolled to inform them the other parent is at the school requesting information and give that parent an opportunity to provide any updated court document that would disprove. If parent who enrolled the student does not want the other parent to have records, etc. then he/she should come to school and discuss with the other parent.		Call the police to come to the campus if there is going to be confrontation.	

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Request from an outside law enforcement officer to either question a student for something that happened off campus/not school related or wants to arrest the student (for child abuse investigations - see next explanation).	Principal	Call Flatonia Chief of Police and ask for his assistance in determining whether either should be allowed.	N/A	Officer should have warrant for adult students or pick-up order for juveniles in order to take them into custody. See Policy GRA (LOCAL).	
Request from CPS worker or law enforcement agent to speak to a student regarding suspected child abuse.	Principal/Assistant Principal.	They should be allowed to interview the child and parent should not be notified by the campus.	N/A	If CPS takes custody of the children from the school, CPS will notify the parents.	
Immigration Records (Referred to as Deferred Action for Childhood Arrivals)					
Request for school documents to assist people who came to the United States as children and wish to be eligible for work authorization.	High school campus staff or staff from last school attended.	Campuses have up to two weeks to provide information.	Yes	Applies to people under the age of 31 as of 6/15/2012. School can provide a report card(s), transcript; a diploma or a letter verifying person was enrolled continuously since, 6/15/2007 thru 2012.	Person(s) must complete the FISD Deferred Action for Childhood Arrivals form. (Form may be found on campus website).