EDUCATIONAL DATA AND ITS USES

MSBO certification course
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Materials

Can be found at:

http://msbo.org/msbo-certification-class-materials

Educational Data and its Uses

Agenda
- Data Flow Overview
- MiSchoolData Portal
- State and Federal Reporting
- Types of School Records – What is an official record?
- FERPA regulations

Questions?
MiSchoolData Portal

https://www.mischooldata.org/

- Michigan’s official public portal for educational data
- Online data back as far as 2002
- Data files into early 1990’s
- Constantly growing, new reports added regularly
State/Federal Reporting

- Reporting by CEPI to other branches of Michigan government & federal government
  - Federal: EDEN, CCD, IDEA, Perkins
  - SOM: Safety report, Grad rates, legislative reports
- CRDC: Civil Rights Data Collection
  - federal report- Office of Civil Rights (OCR)
    - Not requested of state educational agencies, but directly from locals to USED to locals
    - No funding to allow CEPI to provide data
State/Federal Reporting

- Every piece of information CEPI collects is REQUIRED by some state or federal report

- History:
  - *Early on, LOTS of “nice to have” collection*
  - *Caused lawsuits that continue to this day*
  - ‘Unfunded Mandates’ – *Durant lawsuits*
  - *All non-required data no longer collected*
  - *CEPI staff reviews regularly*

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State/Federal Reporting


CEPI’s website
State/Federal Reporting

Data Use Matrices:

Michigan School Data System (MSDS)
Registry of Educational Personnel (REP)
Financial Information Database (FID)
School Infrastructure Database (SID)
State/Federal Reporting

Citing CEPI Data

- All data available in the public areas of MiSchoolData is public information
- Free to use and publish
- CEPI asks users of their data to cite them as a source
CITING CEPI DATA

How to properly cite data provided by Michigan’s Center for Educational Performance and Information (CEPI) and the MI School Data website.

PLEASE CITE OUR DATA

We ask users of CEPI data to please cite us in your publication.

Data requires citations for the same reasons journal articles and other types of publications require citations: to acknowledge the original author/producer and to help others find the resource. A dataset citation includes all of the same components as any other citation, however, standards for the citation of data are not uniformly agreed upon and you should follow the style manual you use.

Since all data provided on this site has its own URL extension, all report titles are unique to the search parameters and the date in which you retrieve the data is different for everyone, a single citation for the datasets provided by MI School Data is not possible. However, we recommend you include these five components in the order and format suggested by the style manual you use:

1. Author (the creator of the dataset)
2. Title (the report name)
3. Year (the school year or Fiscal year that the data represents)
4. URL
5. Date accessed (month, day and year)

EXAMPLES

Dataset
Michigan’s Center for Educational Performance and Information, Student Count for Barry ISD, Hastings Area School District, Hastings High School, All Grades and All Students (2010-11).
Graphic Representation of Data

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
Types of School Records

4 general types of records
- Personal Records
- Non-Records
- Transitory Records
- Official Records

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
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

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
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*

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.
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

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.
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

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Official School Records

**Retention Policy**

*State of Michigan Records management Service*

*Retention and Disposal Schedule*

[http://www.michigan.gov/dtmb/0,5552,7-150-9141_21738_31548-56101--,00.html](http://www.michigan.gov/dtmb/0,5552,7-150-9141_21738_31548-56101--,00.html)

Or

*google ‘Michigan records retention’ – select 1st choice*
Break

[Image of a smiling coffee cup]

General Schedules for Local Government

"General Retention Schedules" cover records that are common to a particular type of local government agency, such as a county, city, or a school district. However, general schedules may not address every single record that a particular agency may have in its possession.

Any record that is not covered by an approved general schedule cannot be destroyed without the authorization of an approved "agency-specific schedule." Agency-specific schedules only address the unique records of the agency named on the schedule, and may not be used by another agency. Agency-specific schedules always override general schedules. The Instructions and procedures to develop agency-specific schedules are available online.

Records can assist 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 the 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

1. [General Schedule Number 1]
2. Public Schools (approved 12/20-2018)
3. [General Schedule Number 3]
4. County Treasurers (superseded 9-12-2003 by General Schedule A7)
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
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

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
1400A Student Files--Academic Records (CA-60) (supersedes item #1-11, 13) ACT+60

These files are maintained on each student and follow the student from enrollment through graduation, transfer or withdrawal. Personal information about the student may be collected on the CA-60 form/folder or on some other form that is used by the school district. Other documents in the file may include a photo for each school year, transcripts, approved personal curriculums, withdrawal documents, GED test results, etc. Note: This record series also applies to adult education students. The home school district is the official recordkeeper for the academic records of students who participate in cooperative education programs, including technical education. Cooperative education programs must send the official records to the home district. ACT = until student graduates. If a student drops out, the records remain active until the expected graduation date. Schools are responsible for retaining records of students who transfer to another school district until the next school district requests the student's file (MCL 380.1135 (4)). Intermediate School Districts may coordinate the retention of, or retain themselves, the student records of closed public schools and public school academies (if the files are not transferred to another open school) for the remainder of their retention period.

1400B Student Files--Other Records (supersedes item #16, 19-23, 26-27) ACT

Select documents in the student file only need to be retained while the student is enrolled and may be destroyed upon graduation (or expected graduation date). These documents may include: most recent enrollment records and emergency contact information, school of choice applications, attendance records, report cards, academic progress reports, educational development plans (EDP), immunization records, 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 relevant correspondence. Note: This record series also applies to adult education students. ACT = until student graduates. If a student drops out, the records remain active until the expected graduation date. Schools are responsible for retaining records of students who transfer to another school district until the next school district requests the student's file (MCL 380.1135 (4)).
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

School Records

Circling back - 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
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

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
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

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
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

Getting Help

FOIA Assistance

- Michigan Attorney General Website
  - http://www.michigan.gov/ag/0,4534,7-164-20988_18160--,00.html
  OR
- Go to www.michigan.gov/ag
- Choose ‘Opinions’ from left hand menu
- Select ‘FOIA / OMA’
Getting Help

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

**FERPA**

**Federal Educational Rights and Privacy Act**
- 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
FERPA

What are educational records?

- Every record that the district holds that contains Personally Identifiable Information (PII)
  - Exception – personal notes for personal use only
- PII – Any information that discloses an individual’s identity
  - Even summary data that can reasonably point to an individual

FERPA

Parents:

- FERPA defines a parent as a natural parent, a guardian, or an individual acting in the place of a parent or guardian. In the case of divorce or separation of a student’s parents, both parents maintain full rights under FERPA unless some legally binding document or law revokes those rights.
- It is NOT the school’s responsibility to hunt down or find those documents. Only to act on them when they are presented.
FERPA

Accessing and viewing records

- District has 45 days after a written request to make records available
- District must comply with reasonable requests for explanation of documents
- Copies do not have to be made, so long as parent can view documents

FERPA

Amending records

- Parent has the right to request that incorrect data be corrected in the record.
- School is obligated to CONSIDER the request.
- If the school decides to not change the data, they must inform the parent of their right to a hearing.
- If a hearing is held, and the parent the decision is made to not change the data, the parent has the right to put a statement into the student’s file explaining their position on the contested information.
- School has to maintain that statement and produce it whenever it discloses the contested data on the student.
FERPA

Amending records

- Under FERPA, schools are not required to consider requests to change:
  - A grade for a student because they feel the student should have been given a better grade
  - Opinions
  - Disability placement decisions regarding the student
  - Discipline decisions regarding the student

FERPA

Student rights

- When a student turns 18, their FERPA rights transfer from the parents to the student
  - Also applies when a student enters college at any age

- Parents may no longer view students records, unless:
  - Student is listed as a dependent on parent’s current tax records
  - Pursuant to a health emergency
  - Student consents
FERPA

Sharing protected records

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

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
FERPA

Directory information

- Student numbers
  - Can be considered directory information
  - Can be displayed on student ID
- UNLESS
  - Number is used as a password, without other PIN or counter code, to gain access to student data
  - In that case, it cannot be on the badge, and is not eligible to be considered directory information

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
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

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
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

FERPA

Annual Notice
- Must include:
  - Parent’s rights to inspect records
  - Right to request corrections
  - Right of consent to disclosure of PII
  - Procedure for inspecting records
  - Procedure to requesting corrections
  - Information of reporting complaints to USED Family Policy Compliance Office
- Frequently included in student handbook
FERPA

Training assistance
- Privacy Technical Assistance Center (PTAC)
  - Part of US Department of Education
- Rules, current case law
- Training videos
- Will track learning, provide documentation of compliance
- Excellent source for training staff

Getting Help

- CEPI Helpdesk
  - (517) 335-0505, Option 3
  - cepi@michigan.gov
- MPAAA
  - Rob@mpaaa.org
  - (517) 853-1413
Finalize Credit for Attendance

- Return form to MSBO by December 13
  - Fax – 517.327.0768
  - E-mail – cbyam@msbo.org
- Receive e-mail from MOECS-noreply@michigan.gov to fill out an evaluation for SCECHs
- Receive an email from survey monkey for the MSBO evaluation.