

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

(1) The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the District to amend a record that they believe is inaccurate. They should write the Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the District decides not to amend the record as requested by the parent or eligible student, The District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent, is disclosure to District officials with legitimate educational interests. A District official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the District Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another District official in performing his or her tasks. A District official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District discloses education records without consent to officials of another District in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Student records shall be available only to students and their parents, eligible students, designated school officials, and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

A designated "school official" is a person or entity: (1) duly elected to the Board; (2) licensed by the state and appointed by the Board to an administrative or supervisory position; (3) licensed by the state and under contract to the Board as an instructor; (4) employed by the Board as a temporary substitute for administrative, supervisory or teaching personnel for the period of his/her performance as a substitute; or (5) employed by, or under contract to, the Board to perform a special task such as a secretary, a treasurer, Board attorney, or auditor for the period of his/her performance as an employee or contractor. In addition, a "school official" is a contractor, consultant, volunteer or other party to whom an agency or institution has outsourced institutional services or functions (such as a therapist, translator, or approved online/technological service provider) if such official: (1) performs an institutional service or function for which the Board would otherwise use employees; (2) is under the direct control of the Board with respect to the use and maintenance of education records; and (3) abides by the legal requirements governing the use and redisclosure of personally identifiable information from education records.

School officials who meet the criteria listed above have access to a student's records if they have a legitimate educational interest in those records. A "legitimate educational interest" is the person's need to know in order to perform: (1) an administrative task required in the school official's position description approved by the Board; (2) a supervisory or instructional task directly related to the student's education; or (3) a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

School officials may obtain access to only those education records in which they have legitimate educational interests. Physical and technological access controls to records exist to ensure that access to education records is effective and in compliance with the legitimate educational interest requirement.

Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code. Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent, or, if the student is an eligible student, without the written consent of the student, except to those persons or parties stipulated by the Board's policy and administrative guidelines and/or those specified in the law.

Each year the District provides public notice to students and their parents of the District's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information": a student's name; address; telephone number; date and place of birth; major field of study; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; awards received; honor rolls; and scholarships. Directory information shall not be provided to any organization for profit-making purposes. The Board may disclose "directory information" on former students without student or parental consent. For information about parent and student rights to inspect, review and request

amendments to educational records, or if parents/students believe their rights under Federal law have been violated, please contact your building principal.