

**SCHOOL DISTRICT
NOTIFICATION OF RIGHTS UNDER FERPA**

Rights

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("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 after the day the District receives a request for access.

Parents or eligible students should submit to the building principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the District to amend their child's or their education record should write the building principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it should be changed. 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 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 provide written consent before the District discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent (see below for examples of such exceptions).
- 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:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

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Disclosures that Elementary and Secondary Schools May Make Without Consent

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure is:

- 1) To other school officials, including teachers, within the District whom the District has determined to have legitimate educational interests.

A "school official" is:

- a. 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);
- b. A person serving on the Board;
- c. A volunteer, contractor, or consultant who, while not employed by the District, performs an institutional service or function for which the District would otherwise use its own employees and who is under the direct control of the District with respect to the use and maintenance of PII from education records, including, but not limited to, attorneys, auditors, medical consultants, or therapists;
- d. A parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or
- e. A parent, student, or other volunteer assisting another school official in performing their tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

- 2) *To officials of another school, district, or institution of post-secondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to requirements in regulation.

FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.

- 3) To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local educational authorities, such as the state educational agency (SEA) in the parent or eligible student's state. Disclosures under this provision may be made, subject to requirements in regulation, in connection with an audit or evaluation of federal- or state-supported education programs, or for the enforcement of or

***District Option**

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compliance with federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met.

- 4) In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- 5) To state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to requirements in regulation.
- 6) To organizations conducting studies for, or on behalf of, the District, in order to:
 - a. Develop, validate, or administer predictive tests;
 - b. Administer student aid programs; or
 - c. Improve instruction, if applicable requirements are met.
- 7) To accrediting organizations to carry out their accrediting functions.
- 8) To parents of an eligible student if the student is a dependent for IRS tax purposes.
- 9) To comply with a judicial order or lawfully issued subpoena, if applicable requirements are met.
- 10) To appropriate officials in connection with a health or safety emergency.
- 11) Information the District has designated as "directory information," if applicable requirements are met.
- 12) To an agency caseworker or other representative of a state or local child welfare agency or tribal organization, who is legally responsible for the care and protection of the student (foster care).
- 13) To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions.

(NOTE: A District may wish to include its directory information public notice here within the required annual notification of rights under FERPA. See Form #7241F.1 -- FERPA Notification and Opt-Out Form.)