

ADMINISTRATIVE REGULATION

CENTENNIAL SCHOOL DISTRICT

APPROVED: December 13, 2016

REVISED:

216-AR-0. STUDENT RECORDS

Definitions

Attendance - includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.

Biometric record - as used in the definition of personally identifiable information, shall mean a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. Examples include fingerprints; retina and iris patterns; voiceprints; DNA sequence; facial characteristics; and handwriting.

Dates of attendance - means the period of time during which a student attends or attended the School District. Examples of dates of attendance would include an academic year, semester, quarter, or grading period, but would not include specific daily records of a student's attendance.

Destruction - means the physical destruction or permanent removal of personally identifying data from the education records of a student so that the information in those records is no longer personally identifiable.

Directory information - is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include, but is not limited to:

1. The student's name, address, listed telephone number, date, and place of birth.
2. Program or major field of study.
3. Dates of attendance.
4. Participation in officially recognized school activities and sports.
5. Weight and height of members of athletic teams.
6. Placement on the honor roll.

7. Certificates and awards received.
8. The most recent previous educational agency or institution attended by the student.
9. Grade level.
10. Enrollment status.
11. Photograph/School picture.

Directory information shall not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier displayed on a student identification card/badge or used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

Disclosure - means permitting access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic, to any party except the party that provided or created the record.

Education program - means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education and any program that is administered by an educational agency or institution.

Education records - means those records which are directly related to the student; and are maintained by the School District or by a party acting for the School District. Records can be recorded in any form including, but not limited to, handwriting, print, computer/digital media, video or audio tape, film, microfilm, and microfiche. The term does not include:

1. Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons – including, but not limited to, instructional support teachers, counselors, therapists and clinicians, school psychologists and psychiatrists, nurses, and instructional aides – that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and the contents of which are not accessible or revealed to any other person except a temporary substitute for the maker of record;
2. Records created or received by the District after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student;
3. Grades on peer-graded papers before they are collected and recorded by a teacher; and

4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and its implementing regulation, 34 C.F.R. Part 99.

Eligible student - a present or former student who has attained the age of eighteen (18) or a former student who is attending an institution of postsecondary education. For the purposes of this regulation, whenever a student has attained eighteen (18) years of age, or is attending an institution of postsecondary education, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student.

Parent - a natural or adoptive parent, a legal guardian, or an individual acting as a parent in the absence of a natural parent or guardian. The District shall give full rights to either parent unless the District has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.

Personally identifiable information - includes, but is not limited to:

1. The name of a student, the student's parents or other family members;
2. The address of the student or student's family;
3. A personal identifier, such as the student's Social Security Number, student number, or biometric record;
4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
6. Information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

School official with a legitimate educational interest - a school official is a person employed by the District as an administrator, supervisor, teacher, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official

needs to review an education record in order to fulfill his/her professional responsibility. Criteria for determining whether the official has a legitimate interest include, but are not limited to, whether particular information concerning the student is:

1. Presently or potentially relevant to the provision of education, education-related services, or extracurricular activities or experiences, or
2. Necessary to protect the health, safety, or welfare of school officials and/or other students with whom the student might have contact.

The phrase also applies to District officials and support staff who are responsible for the maintenance and security of education records or auditing the District's recordkeeping procedures and to attorneys, consultants, and Board members when Board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute.

Student - includes any individual who is or has been in attendance at the School District and regarding whom the District maintains education records.

Responsibilities

The Superintendent shall be responsible for education record maintenance and access, and for the education of staff about maintenance and access procedures. The building principal is responsible for implementing Board policy concerning student education records in the building. All school personnel having access to education records should receive training in security, with emphasis upon privacy rights of student and parents.

Records are to be kept secure at all times under the supervision of District personnel and in accordance with law, regulations, Board policy and the student records plan.

Annual Notification Of Rights

Parents and eligible students shall be notified annually and upon initial enrollment of:

1. The rights and procedures for parents or eligible students:
 - a. To access, inspect and review the student's education records; and
 - b. To seek an amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights.
2. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations authorize disclosure without consent.

3. 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 the FERPA and its implementing regulations.
4. The District's practice of permitting school officials with legitimate educational interests to access student records without prior consent of the parent or eligible student, as well as the criteria used by the District to determine who constitutes a school official and what constitutes a legitimate educational interest.
5. The types of personally identifiable information the District has designated as directory information; the parent's/eligible student's right to opt out of the disclosure of directory information; and the time period within which a parent/eligible student has to notify the District, in writing, of their decision to opt out.

The annual notice may be provided through a letter to parents/eligible students, School District calendar, student/parent handbooks, School District newsletter, on the School District's website, and/or any other effective means.

The District will also ensure that parents and eligible students who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights.

Student Health Records

The District shall maintain a comprehensive health record for each child of school age, which shall include immunization information, results of vision and hearing screenings, results of state-mandated physical examinations, in-school treatment and medication dispensing or administration orders or prescriptions from physicians, treatment and medication dispensing or administration logs, and health-related information provided by parents. This includes medical questionnaires that are forms furnished by the Secretary of Health and completed by the child or the child's parent at such times as the Secretary of Health may direct.

All health records established and maintained by the District shall be confidential, and their contents shall be divulged only when necessary for the health of the child or at the request of the parent to a physician legally qualified to practice medicine and surgery or osteopathy or osteopathic surgery in the Commonwealth of Pennsylvania.

Disclosure Of Student Records

The District shall obtain the signed and dated written consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, other than directory information, except as specifically permitted by law and regulations. Signed and dated written consent may include a record and signature in electronic form that identifies and authenticates a particular person as the source of the electronic consent and indicates such person's approval of the information contained in the electronic consent.

When disclosure is made pursuant to signed and dated written consent, the District shall, upon request, provide the parent, eligible student, and/or student who is not an eligible student with a copy of the record(s) disclosed.

The District shall use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

However, the District may disclose personally identifiable information from the education records of a student without written consent of the parent(s) or the eligible student if the disclosure is:

1. To other school officials, including teachers, guidance counselors, nurses, and I.U. personnel within the School District who have been determined by the School District to have legitimate educational interests. A contractor, consultant, volunteer or other party providing educational services or functions may be considered a school official provided that the party:
 - a. Performs an institutional service or function for which the District would otherwise use employees;
 - b. Is under the direct control of the District with respect to the use and maintenance of education records; and
 - c. Uses the information only for the purposes for which disclosure was made and does not redisclose information to any other party without the prior consent of the parent or eligible student.

The District shall use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

2. To officials of another school or school system or postsecondary schools in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment/transfer or where the student is enrolled and receiving services. Parents and eligible students may request a copy of and be provided the opportunity to challenge the contents of the records sent.
3. To authorized representatives of the state or federal government, subject to the conditions set forth in law and regulations.
4. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine the eligibility for, amount of, and conditions for aid, and to enforce the terms and conditions of the aid.
5. To organizations conducting studies for or on behalf of the District to develop, validate or administer predictive tests, administer student aid programs or improve instruction. Such disclosures are permissible only if:
 - a. The study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that

- have legitimate interests in the information;
- b. The information is destroyed when no longer needed for the purposes for which the study was conducted; and
 - c. The educational agency or institution enters into a written agreement with the organization that:
 - 1) Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
 - 2) Requires the organization to use personally identifiable information from education records only to meet the purpose(s) of the study as stated in the written agreement;
 - 3) Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
 - 4) Requires the organization to destroy or return to the educational agency or institution all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be returned or destroyed.
6. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code.
 7. To comply with a judicial order or lawfully issued subpoena:
 - a. The District shall make a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance unless the disclosure is in compliance with:
 - 1) A federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
 - 2) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
 - 3) An *ex parte* order obtained by the U.S. Attorney General in connection with the investigation or prosecution of specified terrorism offenses.
 - b. The District may disclose to a court, without court order or subpoena, the education records of a student that are relevant for the District to proceed with or defend a legal action.
 8. To appropriate parties, including parents of an eligible student, in connection with a health or safety emergency, subject to certain conditions, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

- a. The District shall not be prohibited from including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community and disclosing appropriate information to teachers and school officials within the District or in other schools who the agency or institution has determined have legitimate educational interests in the behavior of the student.
- b. In making a determination under this section, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

In the event that personally identifiable information is disclosed due to a health or safety emergency, the District shall keep a record of the parties that received the information and the significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure.

9. Information designated by the School District as directory information, provided that parents and eligible students have received prior notice of the types of personally identifiable information the District has designated as directory information; the parent's/eligible student's right to opt out of the disclosure of directory information; and the time period within which a parent/eligible student has to notify the District, in writing, of their decision to opt out.

A parent or eligible student may not use the right to opt out of directory information disclosures to prevent the District from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled; or requiring a student to wear, to display publicly, or to disclose a student ID card/badge that exhibits information that has been properly designated as directory information.

The District may continue to disclose directory information about former students without providing annual notice and opt out opportunities; however, the District must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt out request.

The District may not disclose or confirm directory information without obtaining written consent if a student's Social Security Number or other nondirectory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

10. To the parents of a student who is not an eligible student or to the student.
11. As otherwise required or permitted by law and regulations.

Questions regarding the disclosure of information should be referred to the designated school employee.

De-Identified Records And Information

The District may release education records or information without required consent after the removal of all personally identifiable information, provided that the District has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

The District may release de-identified student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

1. The District does not disclose any information about how it generates and assigns a record code, or that would allow a recipient to identify a student based on a record code;
2. The record code is used for no purpose other than identifying a de-identified record for purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
3. The record code is not based on a student's Social Security Number or other personal information.

Redisclosure Of Records

The District will disclose information from education records only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student.

Information disclosed by the District is to be used by the party only for the purpose(s) for which the disclosure was made.

The District may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the District only if the requirements of law and regulations are met.

Transfer Of Records To Another School District Or Charter School

Upon receiving a request for educational records, health records, or student disciplinary records from another School District or charter school where the student seeks or intends to enroll, the District shall forward the records within ten (10) business days of receipt of the request. A signed parent consent form is not required prior to this disclosure.

Responding To Subpoenas For Student Records

If a school employee receives a subpoena from any court or administrative body regarding student records, the school employee will immediately refer the subpoena to the Superintendent. The Superintendent or designee shall consult with the District's solicitor before responding to any subpoena.

Review And Inspection Of Records By Parents And/Or Eligible Students

Requests by a parent or eligible student to inspect and review the education record of a student are to be directed to the principal of the school in which the student is enrolled or to the School District administrative offices for access to inactive records (e.g., graduates and withdrawals). Access shall be granted within a reasonable period of time not to exceed forty-five (45) calendar days after receiving the request. Review of records shall be permitted in the presence of the principal or a designated agent for the purposes of security and assistance in explaining or interpreting the data. The District shall respond to any reasonable request for explanation and interpretation of the records.

If the education records of a student contain information about more than one (1) student, the parent of the student or the eligible student may inspect and review or be informed orally or in writing of only the specific information which pertains to that student.

If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the District shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.

Copies shall be provided at a reasonable rate as determined by the District in order to cover the cost of copying, provided that the fee does not effectively prevent the parent or eligible student from exercising their right to inspect and review education records.

There shall be no fee to search for or to retrieve the education records of a student.

Record Of Requests And Disclosures Required To Be Maintained

The District shall maintain a record of each request for and each disclosure of personally identifiable information from the education records of a student. The District will maintain the record of disclosure with the education records of the student for as long as the records are maintained. For each disclosure, the record must include the parties who have requested or obtained personally identifiable information from the student's education records and the legitimate interests these parties had in requesting or obtaining the information. This requirement does not apply if the request was from or the disclosure was to:

1. A parent or eligible student;
2. School officials, such as administrators, teachers, school counselors and authorized support staff whom the District has determined to have a legitimate educational interest;
3. A party with the written consent of a parent or an eligible student;
4. A party seeking directory information; or
5. A party seeking or obtaining records in response to a lawfully issued subpoena or court order.

If a disclosure is made pursuant to a health or safety emergency, the District shall record the specific and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure, as well as the parties to whom the District disclosed the information.

The record of access shall include not only in-person access, but also cases where information is disclosed by any other means including, but not limited to, telephone, facsimile, email and/or mail. The school official permitting access/disclosure shall take necessary steps to confirm the identity of persons requesting student information and the legitimacy of the request.

The record of disclosure shall be available for inspection by parents, eligible students, school officials responsible for the custody of the records, and authorized representatives of the federal or state government for the purpose of auditing the District's recordkeeping procedures.

If the District discloses personally identifiable information from education records with the understanding that the party intends to redisclose the information, the record of the disclosure must include:

1. The names of the additional parties to which the receiving party may disclose the information on behalf of the educational agency or institution; and
2. The legitimate interest which each of the additional parties has in requesting or obtaining the information.
3. This requirement does not apply to disclosures to authorized representatives of state and federal government to whom disclosure is permitted without parent/eligible student consent; however, the District will request a copy of the record of further disclosures from the state and/or federal government in response to a parent's or eligible student's request to review such records.

Amendment Of Education Records

A parent or eligible student who believes that information in education records collected, maintained or used by the District is inaccurate, misleading or violates the student's privacy or other rights, has the right to request that the District correct, amend or delete the information under the following procedures:

1. The parent or eligible student shall submit, in writing to the building principal, a request for amendment, which shall include a brief statement, which specifies the record(s) to be amended and the reason that an amendment is requested.
2. The building principal shall decide whether to amend the information in accordance with the requests of the parent or eligible student within a reasonable time period not more than thirty (30) calendar days after receipt of the request.
3. If the building principal decides to amend the information in accordance with the request, the building principal shall notify the parent or eligible student, in writing, of the decision to amend the record.
4. If the building principal decides not to amend the information as requested, the building principal shall inform the parent or eligible student, in writing, of his/her decision, the specific reason(s) for the refusal, and the right to request a hearing.

Inaccuracies in student records can be changed at any point after a child has transferred to a new school; enrolled in further education; moved on to a different building in, graduated or withdrawn from the District, regardless of time constraints.

If the parent or eligible student is not satisfied with the principal's decision to not amend the record, s/he may submit a written request for a hearing to challenge the information in the student's education records to the Superintendent or designee within thirty (30) days of receiving the principal's decision.

The District shall hold the hearing within a reasonable time, not to exceed forty-five (45) calendar days, after receiving the request for a hearing and provide the parent or eligible student reasonable advanced written notice of the date, time, and place of the hearing. The District shall inform the parent or eligible student of its decision in writing within forty-five (45) calendar days after the hearing.

The hearing shall be conducted in accordance with the following requirements:

1. The hearing shall be conducted by a school official who does not have a direct interest in the outcome of the hearing.
2. The parent or eligible student shall have a full and fair opportunity to present relevant evidence.
3. The parent or eligible student may, at his/her own expense, be assisted or represented by one or more individuals of his/her choice, including an attorney.
4. The decision shall be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

If, as a result of the hearing, the District decides that the information is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the District shall amend the information accordingly and inform the parent or eligible student in writing.

If, as a result of the hearing, the District decides that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the District shall inform the parent or eligible student of the parent's/student's right to place in the records a statement commenting on the information and/or providing any reasons for disagreeing with the District's decision.

Any statement placed in the student's records shall be:

1. Maintained by the District as part of the student's records as long as the record or contested portion is maintained by the District; and
2. Included with the record or contested portion if the record or contested portion are disclosed to any party.

Maintenance And Destruction Of Information

The District shall maintain and destroy the educational records of all its students consistent with the student records plan.

Student health records shall be kept in the school building where the child attends school. Records shall be transferred with the child when s/he moves from one school to another within the District or the child moves to another school outside the District.

Staff members may maintain personal and confidential files containing grades, notes, transcripts of interviews, clinical diagnoses, and other memory aids for their own use in counseling students and parents. Such private notes are not to be made a part of the student's permanent or cumulative record, are not to be released to others, and must be destroyed when they no longer serve a useful purpose to the staff member or when the student or professional leaves the school or school system. Such notes are considered to be the personal property of the professional and shall be guarded by the tenets of professional ethics.

No education records containing information necessary for the education of a student who is enrolled or has been enrolled in an education program operated by the District shall be destroyed except as outlined in Board policy or the student records plan.

The destruction of any student records shall be by shredding, burning, deleting, erasing or any other method that renders information illegible and nonreconstructable through generally available means.

The School District shall not destroy any education records if there is an outstanding request to inspect and review the records or if the education records are relevant to any existing or anticipated claims, actual or potential litigation, or other proceedings involving the student.

ADMINISTRATIVE REGULATION

APPROVED: December 13, 2016

REVISED:

CENTENNIAL SCHOOL DISTRICT

216-AR-1. AUTHORIZATION FOR DISCLOSURE OF INFORMATION

I am the parent of the student referenced below, or the student listed below and am at least eighteen (18) years of age or attending a postsecondary institution, and hereby give consent to the School District to disclose to:

_____	for	_____
(Agency/Person)		(Student's Full Name)
_____		_____
(Address)		(Address)
_____		_____
(Phone)		(Phone)

the following information: (Check all that apply)

- General (name, address, phone, birth date, attendance records, progress/report cards, etc.)
- Standardized Test Scores
- Special Education Records:
 - Evaluation/Re-evaluation Reports
 - Individualized Education Program (IEP)
 - Notice of Recommended Educational Placements/Assignments Options Considered Form
 - Psychological Reports
 - Occupational Therapy Reports
 - Physical Therapy Reports
- Medical records, reports, and test results in the possession of the School District
- Discipline Records
- Consultation between the School District and _____
- Other: (Please specify) _____

The purpose of the disclosure being authorized by me is to: _____

____ Please check here if you are requesting the School District provide you with a copy of the records disclosed.

I understand that my records are protected under Board Policy No. 216 and accompanying Administrative Regulations to ensure the privacy rights of both parent(s) and eligible students in the collection, maintenance, release and destruction of these records as required by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, and will not be disclosed by the School District without my written consent unless required or permitted under Applicable Law. I also understand that I may revoke this consent at any time, except to the extent that action has been taken in reliance on it. In any event, this consent expires automatically as follows:

(Specification of the date, event, or condition upon which this consent expires)

Signature of parent or eligible student

Date

CENTENNIAL SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED: December 13, 2016

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216-AR-2. STUDENT RECORD ACCESS/DISCLOSURE LOG

Student Name: _____

Student ID #: _____

The record of access shall include not only in-person access, but also cases whereby information is disclosed by any other means including, but not limited to, telephone, facsimile, email and/or mail.

Requests for access from and/or disclosures to a parent/eligible student, a school official with a legitimate educational interest, an individual with written consent of a parent/eligible student, an individual seeking directory information, and/or a party seeking or obtaining records in response to a subpoena or court order DO NOT need recorded.

Date	Parties Requesting Access to or Receiving Information	Educational Interest/Purpose – If Health/Safety Emergency, Include Basis for Emergency Disclosure	If Information will be Redisclosed, to Whom and What is the Educational Interest/Purpose

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Date	Parties Requesting Access to or Receiving Information	Educational Interest/Purpose – If Health/Safety Emergency, Include Basis for Emergency Disclosure	If Information will be Redisclosed, to Whom and What is the Educational Interest/Purpose

216-AR-3. NOTIFICATION OF RIGHTS UNDER FERPA

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

1. The right to inspect and review the student's education records within forty-five (45) days of the day the school receives a request for access. Parents or eligible students should submit to the building principal a written request that identifies the record(s) they wish to inspect. The building 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 to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. Parents or eligible students who wish to ask the school to amend a record should submit to the school principal a written request that clearly identifies the record or part of the record they want changed and specify why they feel it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school 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 privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One (1) exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. Criteria for determining whether the official has a legitimate interest include, but are not limited to, whether particular information concerning the student is: (a) presently or potentially relevant to the provision of education, education-related services, or extracurricular activities or experiences, or (b) necessary to protect the health, safety, or welfare of school officials and/or other students with whom the student might have contact.

Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school 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

5. The District is permitted by law to **disclose appropriately designated “directory information” without obtaining the prior written consent of the parent or eligible student unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from your child’s education records in certain school publications. Examples include:**

- **A playbill, showing your student’s role in a drama production;**
- **The annual yearbook;**
- **Honor roll or other recognition lists;**
- **Graduation programs; and**
- **Sports activity sheets, such as for wrestling, showing weight and height of team members.**

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two (2) federal laws require the District to provide military recruiters, upon request, with the following information on its junior and senior class students – names, addresses and telephone listings – unless parents have advised the District that they do not want their student’s information disclosed without their prior written consent.¹

If you do not want the District to disclose directory information from your child’s education records without your prior written consent, you must notify the District in writing by October 1. The School District has designated the following information as directory information:

- a. **The student’s name, address, listed telephone number, date, and place of birth.**
- b. **Program or major field of study.**
- c. **Dates of attendance.**
- d. **Participation in officially recognized school activities and sports.**
- e. **Weight and height of members of athletic teams.**
- f. **Placement on the honor roll.**
- g. **Certificates and awards received.**
- h. **The most recent previous educational agency or institution attended by the student.**
- i. **Grade level.**
- j. **Enrollment status.**
- k. **Photograph/School Picture.**

Questions regarding this notice or your rights under FERPA should be directed to the building principal.

¹ These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).