

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT - FERPA

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the school district, with certain exceptions, obtain written consent from a student's parents or guardian prior to the disclosure of personally identifiable information from a student's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless a student's parent or guardian 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 student's education records in certain school publications. Examples include:

1. A playbill, showing student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs
5. 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.

If a student's parent or guardian does not want the school district to disclose directory information from his or her child's education records without prior written consent, he or she must notify the District in writing within thirty (30) days of the beginning of the school year or, if enrolling after the beginning of the school year, within thirty (30) days of enrollment.

The District has designated the following information as directory information:

1. Student's name;
2. Address;
3. Telephone listing
4. Name(s) of Parent(s)
5. Photograph
6. Date and place of birth
7. Dates of attendance
8. Grade level
9. Participation (including video) in officially recognized activities and sports
10. Weight and height of members of athletic teams
11. Degrees, honors, and awards received
12. The most recent educational agency or institution attended

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 School receives a request for access. Parents or eligible students should submit to the School Principal 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 School to amend a record should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why 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 rights 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. One 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 contracted as its agent to provide a service instead of using its own employees or officials (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 school official in performing his or her tasks. A school 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 School discloses education records with consent to officials of another school 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 Elk Point-Jefferson School 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 20202-5920