

PALMYRA AREA SCHOOL DISTRICT

No. 216-AR-3

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

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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 September 1st of each school year. 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. Student’s email address.
- c. Program or major field of study.
- d. Dates of attendance.
- e. Participation in officially recognized school activities and sports.
- f. Weight and height of members of athletic teams.
- g. Placement on the honor roll.
- h. Certificates and awards received.
- i. The most recent previous educational agency or institution attended by the student.
- j. Grade level.
- k. Enrollment status.
- l. 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).