FAMILY EDUCATIONAL RIGHTS AND PRIVACY (FERPA)

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 students’ education records. Educational records are records that are directly related to a student and are maintained by an educational agency or school by a person acting for the agency or school. Excluded from the term “educational records” are records of instructional, supervisory, or administrative personnel that are in the sole possession of the maker and are not accessible or revealed to any other individual except a supervisor. All information regarding students and their families is collected, maintained, and disseminated using the safeguards necessary to comply with Federal and State laws. 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.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate.
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.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA at the following address:

   Family Policy Compliance Office
   U. S. Department of Education
   400 Maryland Avenue, SW
   Washington, D.C. 20202-4605

Personally identifiable data/information includes the following:

1. The name of the student and the student’s parent or other family members.
2. The address of the student.
3. A personal identifier, such as a student’s social security number.
4. A list of personal characteristics that would make the student’s identity easily traceable.
5. Other information that would make the student’s identity easily traceable.

Legitimate educational interest is interest that requires regular access for purposes of adding material, periodic review, filing new student data, and/or removing inadequate, ambiguous, irrelevant data; that interest having the educational well-being of the student in mind for purposes of continuing, improving, or changing the education program of the student; and that interest in which the person has a legitimate need to know. Access to and release of information in student records is governed by specific requirements:

1. The principal is responsible for determining who, other than the parent or eligible student, has access to student records.
2. The following persons/agencies may be granted access to student record information without the written consent of the parent or without an entry being made in the disclosure record:
   a. Teachers and other school officials within the school system who have a legitimate educational interest.
   b. An educational agency that is required to make reports concerning the education program.
3. The following persons/agencies may be granted access to student record information without the written consent of the parent by completing the disclosure record:
   a. Authorized representative(s) of the Comptroller General of the United States, the Secretary of Education, State education authorities, and appropriate community agencies involved in handling student health and safety.
   b. Agencies requiring information in connection with a student’s application for or receipt of financial aid.
   c. Courts, upon the issuance of proper orders or subpoenas. Educational records and personally identifiable information are released without parental consent to a school to which a student transfers. This includes transcripts sent to post-secondary institutions.

A written consent from a parent or eligible student is required for a principal to grant access to student records by other persons/agencies. The term parent, unless otherwise specified, includes parent, tutor, guardian, or student eighteen (18) years of age or older or who is enrolled in a post-secondary institution.