

## **PUBLIC NOTICE REGARDING PROTECTION AND PRIVACY OF PUPIL RECORDS**

Independent School District No. 761 gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
  - a. That a parent or eligible student has a right to inspect and review the student's education records. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
  - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise him or her of the 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;
  - c. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
  - d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member or other employee; a person serving on the school board; a person or company with whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student and student health and welfare and the ability to respond to a request for educational data;
  - e. That the school district forwards education records on request to a school or post-secondary educational institution in which a student seeks or intends to enroll or is already enrolled, including information about disciplinary action taken as a result of any incident in which the

student possessed or used a dangerous weapon, suspension and expulsion information pursuant to section 4155 of the federal No Child Left Behind Act and data regarding a student's history of violent behavior, and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;

- f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of 20 U.S.C. § 1232g, and the rules promulgated thereunder. The name and address of the office that administers the Family Education Rights and Privacy Act is:

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

2. Copies of the school board policy and accompanying procedures and regulations are available to parents and students upon written request to the Superintendent's office, or on the website.
3. Pursuant to applicable law, Independent School District No. 761 gives notice to parents of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information."

"Directory information" includes the following information relating to a student: the student's name, address, photograph, dates of attendance, grade level, enrollment status (i.e., full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, and honors and awards received, and the most recent educational agency or institution attended. "Directory information" does not include a student's social security number, a student's identification number (ID) or user ID or other unique personal identifier, identifying information on a student's religion, race, color, social position or nationality, or data collected from non-public school students.

- a. The information listed above shall be public information which the school district may disclose from the education records of a student.
- b. Should the parent of a student or the student so desire, any or all of the listed information will not be disclosed without the parent's or eligible student's prior written consent except to school officials as provided under federal law.
- c. In order to make any or all of the directory information listed above "private" (i.e. subject to consent prior to disclosure), the parent or eligible student must make a written request to the building principal by October 1. This written request must include the following information:
- (1) Name of student and parent, as appropriate;
  - (2) Home address;
  - (3) School presently attended by student;
  - (4) Parent's legal relationship to student, if applicable;
  - (5) Specific category or categories of directory information which is not to be made public without the parent's or eligible student's prior written consent.

4. Pursuant to applicable law, Independent School District No. 761 hereby gives notice to parents of students enrolled in the 11<sup>th</sup> and 12<sup>th</sup> grades and eligible students enrolled in the 11<sup>th</sup> and 12<sup>th</sup> grades of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The school district must release, without parent or student consent, the names, addresses, and home telephone numbers of students enrolled in the 11<sup>th</sup> and 12<sup>th</sup> grades to military recruiting officers and post-secondary institutions within 60 days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.
  - a. Should the parent of a student or the student so desire, any or all of the listed information will not be disclosed to military recruiting officers or post-secondary institutions.
  - b. In order to refuse the release of this information, the parent or eligible student must make a written request to the responsible authority, the building principal, by October 1. This written request must include the following information:
    - (1) Name of student and parent, as appropriate;
    - (2) Home address;
    - (3) Student's grade level;
    - (4) School presently attended by student;
    - (5) Parent's legal relationship to student, if applicable;
    - (6) Specific category or categories of information which is not to be released to military recruiters.
    - (7) Specific category or categories of directory information which are not to be released to the public, including military recruiters.

**NOTICE:** *Refusal to release the above information to military recruiting officers or post-secondary institutions alone does not affect the School District's release of directory information to the public, including military recruiting officers. In order to make any directory information about a student private, the procedures contained in the Protection and Privacy of Pupil Records Policy also must be followed. If you do not want your child's directory information released to military recruiting officers or post-secondary institutions, you also must notify the School District that you do not want this directory information released to any member of the public, including military or post-secondary recruiting officers.*