

Notification of Rights under Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older (“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 after the day the New Hanover County Schools receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal or Assistant Superintendent for Student Support a written request that identifies the records they wish to inspect. The principal or Assistant Superintendent 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 New Hanover County Schools to amend their child's or their education record should write the school principal or Assistant Superintendent for Student Support, 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 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 provide written consent before the school discloses personally identifiable information (PII) from 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 or school district as an administrator, supervisor, instructor, or support staff member (including health, medical or security staff); a school resource officer; a member of the Board of Education; a volunteer, contractor, or consultant who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a company which provides information management, educational services or other functions for the school system; or a parent, student, or

other volunteer 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 New Hanover County Schools 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.

New Hanover County Schools will also release "directory information" about individual students upon request as explained in Board Policy 8700 unless the parent has opted out of the disclosure of directory information by providing written notice to the principal or Assistant Superintendent for Student Support. Any such opt-out must be renewed annually and/or when the child changes schools.

As required by law, New Hanover County Schools will also release the names, addresses, and telephone numbers of secondary students, upon request, to military recruiters or military institutions of higher learning, whether or not such information is designated directory information by the school system. Students or their parents may opt out of such disclosures by sending written notice to the principal or Assistant Superintendent for Student Support. Any such opt-out must be renewed annually and/or when the child changes schools.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the New Hanover County Schools to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Additional information about student educational records, including disclosures that New Hanover County Schools may make, may be found in New Hanover County Board of Education Policy 8700, which can be accessed on the New Hanover County Schools website.