

KEYSTONE CENTRAL SCHOOL DISTRICT
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FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
NOTIFICATION OF RIGHTS

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 student's principal receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to their child's school principal or their principal a written request that identifies the records they wish to inspect. The 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 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 their child's or their education record should write to their child's principal or their principal, 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.

3.1 One exception which permits the disclosure without consent, is disclosure to *school officials with legitimate educational interests*. The criteria for determining who constitutes a school official and what constitutes a school official and what constitutes a legitimate educational interest includes:

- A *school official* includes a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, 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 Google, Apple, Microsoft, Schoology, Zoom, PowerSchool, InfoSnap and other software, infrastructure, and platforms, a cloud service provider; an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve 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 or her tasks.

- A school official typically has a *legitimate educational interest* if the official needs to review an educational record in order to fulfill his or her professional responsibility.

3.2 Other PII from educational records of a student may be disclosed without obtaining the prior written consent of the parents or eligible student when complying with FERPA:

- Upon request, to *officials of another school, school district, school system, or institution of postsecondary education* 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.
- To *authorized representatives* of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made in connection with an audit or evaluation of Federal or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met.
- In connection *with financial aid* for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- To *State and local officials or authorities* to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released.
- To *organizations conducting studies* for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met.
- To *accrediting organizations* to carry out their accrediting functions.

- To *parents of an eligible student* if the student is a dependent for IRS tax purposes.
- To comply with a *judicial order or lawfully issued subpoena*, if applicable requirements are met.
- To appropriate officials in connection with a *health or safety emergency*.
- Information the school has designated as "*directory information*," if applicable requirements are met.
- To an *agency caseworker or other representative of a State or local child welfare agency or tribal organization* who has the right to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student. These agencies may not further disclose the records to other parties except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

To the *Secretary of Agriculture or authorized representatives of the Food and Nutrition Service* for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions.

- 3.3 Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, FERPA regulations require the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures.
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:

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