

Notification of Rights Under FERPA

For Elementary and Secondary Institutions and Child Find

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) or students who are attending a postsecondary institution certain rights with respect to the student’s education records. They are:

- 1) **The right to inspect and review the student’s education records within forty-five (45) days of the day the District receives a request for access.**

Parents or eligible students should submit to the school Principal/designee a written request that identifies the record(s) 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 record(s) 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 in violation of the student’s privacy or other rights.**

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or in violation of privacy or other rights. They should write the school Principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise him/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.

- 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.**

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 District 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 District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or 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 District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law. {Note: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it state in its Annual Notification (Annual FERPA Notice) that it intends to forward record on request.}

Notification of Rights Under FERPA

- 4) **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:**

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

“Directory information” is information contained in an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may be released without consent. “Directory information” includes the student’s name, addresses, telephone numbers, date and place of birth, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent educational agency or institution attended. The parent, guardian, or eligible student currently enrolled may request that all or part of the “Directory information” be withheld. The request must be made in writing to the Principal of the child’s school within thirty (30) calendar days after the Annual FERPA Notice has been distributed in August. The written request must specifically state what information may be classified as “Directory information”.

The Morgan County School District keeps educational records in a secure computer system and in locked files in each school and Board of Education office.

For students who have been determined eligible for programs for special education, educational records will be destroyed at the request of the parent when they are no longer needed to provide educational programs or services. The Morgan County School District may destroy the educational records of a child without parent’s request seven (7) years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The Morgan County School District may retain, for an indefinite period of time, a record of the student’s name, address, telephone number, grades, attendance record, classes attended, grade level completed, and year completed.

Children determined eligible for special education include those children with disabilities who have a hearing impairment, visual impairment, emotional-behavioral disability, deaf-blindness, other health impairment, specific learning disability, mental disability, multiple disabilities, speech or language impairment, developmental delay, orthopedic impairment, autism, or traumatic brain injury, and who because of such an impairment need specially designed instruction and related services.

Notification of Rights Under FERPA

The Morgan County School District has an ongoing “Child Find” system, which is designed to locate, identify and evaluate any child residing in a home, facility, or resident within its geographical boundaries, aged three (3) to twenty-one (21) years, who may have a disability and be in need of special education. This includes children who are not in school, those who are in public, private, or home school, those who are highly mobile such as children who are migrant or homeless, and those who are advancing from grade to grade, who may need but are receiving special education.

The Morgan County School District will make sure any child enrolled in its district who has a disability, regardless of how severe the disability, is provided an appropriate education at no cost to the parents of the child.

Parents, relatives, public and private agency employees, and concerned citizens are urged to help the Morgan County School District find any child who may have a disability and need of special education services. The District needs to know the name and age, or date of birth of the child, the name, address, and phone number of the parent or guardian, the possible disability, and other information to determine if special education is needed.

Letter and phone calls are some of the ways the Morgan County School District collects the information needed. The information the school District collects will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for special education services.

If you know of a child who lives in Morgan County, who may have a disability, and may need but is not receiving special education services, please call (606) 743-8002 or send the information to:

**Director of Special Education
Morgan County Schools
P.O. Box 489
West Liberty, KY 41472
(606) 743-8002**

“Child Find” activities will continue throughout the school year. As part of these efforts, the Morgan County School District will use screening information, student records, and basic assessment information it collects on all children in the District to help locate those children who have a disability and need special education. Any information the District collects through “Child Find” is maintained confidentially.

Written policies and procedures have been developed which describe the District’s requirements regarding the confidentiality of personally identifiable information and “Child Find” activities. There are copies in the Principal’s office of each school and in the Board of Education office. Copies of these policies and procedures may also be obtained by contacting:

**Superintendent
Morgan County Schools
P.O. Box 489
West Liberty, KY 41472
(606) 743-8002**

Notification of Rights Under FERPA

The District office is open Monday through Friday, from 8:00 a.m. to 4:00 p.m.

If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner, please contact the Director of Pupil Personnel or the Director of Special Education at the address or phone number listed above for Morgan County Schools.

When the Special Education Director (Director) identifies a need to publish this notice in a language other than English, the Director has the notice translated and published in the other language. If, after fifteen (15) working days, the Director is unable to find someone (e.g. by contacting surrounding colleges and universities) to appropriately translate the notice, then the Director contacts the Kentucky Department of Education, in writing for assistance in securing the necessary translation.

Review/Revised:7/21/11