Family Educational Rights and Privacy Act (FERPA)

The *Family Educational Rights and Privacy Act* (FERPA) affords parents and students over 18 years of age certain rights with respect to student educational records. 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. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school official 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 is inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record that they want changed, and specify why it is inaccurate or misleading. 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 advise them of their right to a hearing regarding the request of the 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 (PII) 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 school 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, etc. A school official also may include a volunteer or contractor outside of the school 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 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 has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the request unless it states that it intends to forward records on request. The FERPA regulations provide that a school may disclose PII from the education records of a student without obtaining prior written consent of the parents or of an eligible student: to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34.* (§ 99.31(a)(2)) Upon request, the District discloses students' education records, without consent, to officials of other schools, school systems and postsecondary educational institutions 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.

4) The right to file a complaint with the U.S. Department of Education concerning failures by the school 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.

Release of Directory Information

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that the William Floyd School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the William Floyd School District may disclose appropriately designated "directory information" without written consent, unless a parent or guardian has advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the William Floyd School District to include this type of information from a student's records in certain school publications. Examples include: district website; district-operated social media accounts; newsletter; a playbill showing a student's role in a drama production; the annual yearbook; honor roll or other recognition lists; graduation programs; and sports activity sheets, such as for wrestling, which shows weight and height of team members, etc.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without the prior written consent of a parent/guardian. Outside organizations include, but are not limited to: companies that manufacture class rings, publish yearbooks, news and media outlets, etc. In addition, two federal laws require Local Education Agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with three information categories -- names, addresses and telephone listings -- unless parents have advised the LEA that they do not want their student's information disclosed to military recruiters without prior written consent.* With the exception of disclosure to military recruiters, directory information shall only be available to school affiliated organizations, members of the news media, and other persons and entities who, in the judgment and discretion of the Superintendent or the Superintendent's designees, will utilize such directory information for purposes that are consistent with the District's educational mission, as well as the safety and best interests of the District's current and former students.

If you do not wish the William Floyd School District to disclose directory information from your child's education records without prior written consent, the district requests notification in writing by October 1 of each school year. The William Floyd School District has designated the following information as directory information: student's name, address, telephone listing, electronic mail address, likeness (for possible use in video and still images for district website and social media accounts), age, major field of study, dates of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, the most recent education agency or institution attended, degrees, honors and awards received. Over the course of the year, the district may release student directory information to outside organizations/entities for the purpose of scholarships/awards/recognitions. If you do not want the district to release this directory information (first name, last name, email, phone number) for this purpose, please contact 631-874-1680.

*These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), the education bill, and 10 U.S.C. 503, as amended by Section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's Armed Forces.