

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

### **Student Education Records**

The Family Educational Rights and Privacy Act (FERPA) is a Federal law designed to protect the privacy of a student's education records. FERPA gives parents certain rights with respect to their student's education records. These rights are:

1. **Inspect and review** all their student's education records maintained by the school within 45 days of a request for access.
2. **Request** that a school correct education records believed to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents who wish to ask the school to amend a record should write the principal or appropriate school official, 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, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.

3. **Provide consent** before the school discloses personally identifiable information (PPI) from a student's record, except to the extent that FERPA authorizes disclosure without consent. Such exceptions include, but are not limited to:
  - [a] school officials with legitimate educational interests;
  - [b] other schools to which a student is transferring;
  - [c] individuals who have obtained court orders or subpoenas;
  - [d] individuals who need to know in cases of health and safety emergencies;
  - [e] official in the juvenile justice system to improve education outcomes;
  - [f] a State agency or organization that is legally responsible for the care and protection of the student, including the responsibility to investigate a report of educational neglect;
  - [g] specified officials for audit or evaluation purposes; or
  - [h] organizations conducting studies for or on behalf of the District.

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 as a volunteer; a person serving on the District 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 to whom the District has outsourced institutional services or functions.

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.

### **Student Directory Information**

Directory Information, which is information that is generally not considered harmful or an invasion of privacy if released, may be released at the discretion of school officials, without consent, for appropriate reasons such as, school publications, newspaper articles, and to outside education related organizations. In addition, two federal laws require secondary schools to provide military recruiters, upon request, the names, addresses, and telephone numbers of their students.

The Davis School District has designated the following information as directory information:

- 1) student's name, address, and telephone number;
- 2) student's date and place of birth;
- 3) grade level and enrollment status;
- 4) student's District email address;
- 5) student's ID

number that is displayed on a student ID badge; 6) parent email address; 7) participation in officially recognized activities and sports; 8) weight and height of members of athletic teams; 9) dates of attendance; 10) degrees, honors, and awards received; 11) most recent educational institution attended by the student; 12) student's digital image.

The following shall be considered limited use directory information that may be disclosed only to other students enrolled in the same course (regardless of whether such students are enrolled in the same class section) that has been audio or video recorded by the District, for instructional and educational purposes only: 1) name to the extent it is referenced or captured during the audio or video recordings; 2) any photograph or image of the student captured during the audio or video recording; 3) any audio or video recording of the student participating in the course; and 4) any online chats or other recorded communications among participants in the course captured during the audio or video recording.

To protect the privacy of other students, parents/students are not permitted to make their own recordings of class sessions or to share or distribute District recordings of class sessions.

If you, as a parent do not want Knowlton Elementary to disclose limited directory information of your child without your prior written consent, you must notify the school in writing annually.

Parents who believe their rights have been violated may contact the school's administration or file a complaint with:

Student Privacy Policy Office (SPPO)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-5920

(202) 260-3887

Informal inquiries may be sent to FPCO via the following email address: [FERPA@ED.Gov](mailto:FERPA@ED.Gov)

[For additional information please visit the SPPO website at the following address:](https://studentprivacy.ed.gov/)

<https://studentprivacy.ed.gov/>

Complaints should be reported as soon as possible, but not later than 180 days from the date you learned of the circumstances of the alleged violation.

#### **RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT**

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding the use of surveys or other school activities which may involve the collection or use of protected information.

These include the right to:

**Consent** before students are required to participate in any survey, analysis, or evaluation that reveals information, whether personally identifiable or not, concerning the student's or any family member's:

[a] political affiliations or beliefs;

[b] mental or psychological problems;

[c] sexual behavior, orientation, or attitudes

[d] illegal, anti-social, self-incriminating, or demeaning behavior;

[e] critical appraisals of others with whom the student or family have close family relationships;

[f] legally recognized privileged relationships, such as with lawyers, doctors, or

ministers;

[g] religious practices, affiliations, or beliefs; or

[h] income, other than as required by law to determine program eligibility.

**Receive notice and an opportunity to opt a student out** of activities involving collection, disclosure, or use of personal information obtained from students regarding any of the protected information areas.

**Inspect**, upon request and before administration or use of:

[a] protected information surveys designed to be administered to students;  
and

[b] instructional material used as part of the educational curriculum.

Davis School District has policies in place to protect student privacy as required by both State and Federal law. Knowlton Elementary will directly notify you of the specific or approximate dates of activities which involve the collection or use of protected information and provide an opportunity to opt your student out of participating in such activities.

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