

## ADMINISTRATION

**Deborah McBride Heppes**  
Chief Operating Officer

**Kerri B. Stroka**  
Deputy Superintendent

**Mark P. Coleman**  
Assistant Superintendent  
Finance and Management Services

**Thomas M. Bongiovi**  
District Superintendent



## BOARD MEMBERS

**Eugenia S. Pavek**, President  
**William M. Boss**, Vice-President  
**Michael Bello**  
**Lawrence E. Berger**  
**Martha Bogart**  
**David Eaton**  
**Edwin A. Estrada**

**Sharleen Depew**  
Clerk of the Board

---

## Notice of Family Education Rights and Privacy Act

September 2023

Dear Parents and Guardians:

This is to advise you of your rights with respect to your child's school records pursuant to the Federal Law known as the "Family Education Rights and Privacy Act of 1974." Under the provisions of this law, parents of a student under 18 (or a student who is 18 years of age or older) have a right to inspect and review any and all official records, files and data directly related to their child (or themselves) including all material that is incorporated into the student's cumulative record folder and intended for school use or to be available to parties outside the school or school system, and specifically including, but not necessarily limited to: identifying data, academic work completed, level of achievement scores on standardized, intelligence, aptitude and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observation and verified reports of serious or recurrent behavior patterns.

Parents and students are also entitled to an opportunity for a hearing to challenge the content of such records, to ensure that they are not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein. Any questions concerning the procedure to be followed in requesting such a hearing should be directed to James Higgins, Director of Special Education, Orange-Ulster BOCES, 53 Gibson Road, Goshen, New York 10924.

Student records and any material contained therein which is personally identifiable, with the exception of "directory information," (see the enclosed Parent Notification Regarding the Release of Information) are confidential and may not be released or made available to persons other than parents or students without the written consent of such parents or students (if over age 18). There are a number of exceptions to this rule such as: Court Orders, other school employees, other schools that have requested records for any student who is enrolled or seeks, intends, or is instructed to enroll in the school, certain State and Federal officials, etc. who have a legitimate educational need to access such records in the course of their employment or normal duties and responsibilities.

The following procedures shall be applicable for making student records available to parents of students under eighteen years of age or to a student eighteen years of age or older:

- A. All student records shall be available only during regular office hours from the office of the appropriate Program Director within BOCES.
- B. Such records shall be attainable only from those administrators and other personnel designated by the District Superintendent of Schools through a written request specifically outlining the material to be reviewed.
- C. Any document included in the student record folder may be examined within the said offices of the BOCES and may not be removed there from, provided such records are not then in use or needed by the office personnel in the discharge of their regular office duties.
- D. Documents may be copied by photocopier or other mechanical devices at a cost of 25¢ per face of each document.
- E. Parents who wish to challenge the content of their child's school records shall identify in writing the record or records, which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, together with a statement of the reasons for their challenge to the record. This written challenge shall be submitted to the Program Director for a reply.
- F. The Director shall provide a written response to a parental challenge within fifteen (15) working days of receipt of that challenge.
- G. If a parent requests a hearing following the written response of the Director, it shall be granted within thirty (30) working days by the District Superintendent or his designee. Upon completion of the hearing, a written decision shall be rendered within ten (10) working days by the official before whom the hearing was held. A copy of the decision will be mailed to the person(s) requesting the hearing and one copy will be affixed to the records of the student in question.

If you have any question regarding the provisions of the Family Educational Rights and Privacy Act or the BOCES policy with respect to this law, please do not hesitate to contact my office.

Sincerely,

*James Higgins*

James Higgins, Ed.D.  
Director of Special Education