

Title: Notification of Rights under FERPA For Elementary and Secondary Institutions

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

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

Parents or eligible students should submit to a school administrator (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The administrator 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 or misleading or violates the privacy rights of the student.

Parents or eligible students may ask the Council Bluffs Community Schools District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

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 them 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 their 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. FERPA authorizes disclosure without consent of the following types of information to the public the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or

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graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; the most recent educational agency or institution attended; and other information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed, including that contained in a yearbook or other school publication. To prevent the public release of such information, a parent must file a written objection with the aforementioned person responsible for maintaining student records.

Another exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official includes, but is not limited to, 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, consultant, auditor, AEA employee, specialized instruction, medical consultant, therapist or employee of an agency contracted to assist the District with management, storage, transfer and security of student electronic databases) or 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 educational records without consent to officials of another school district in which a student seeks or intends to enroll. This includes, when requested by the releasing institution, the transfer of suspension and expulsion records to any public or private elementary or secondary school when a student enrolls or asks to enroll in that school.

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- (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 20202-4605

Student records are reviewed and obsolete materials removed periodically and, at a minimum, whenever a student moves from the elementary level to middle school level to high school level and when a student transfers out of the District. Those records not of permanent importance are destroyed within three years of graduation or discontinued attendance. Special education records are maintained for five (5) years after date of graduation or discontinued attendance. The parents of special education students, or handicapped students over age 18, will be informed when personally identifiable information in records is no longer needed to provide educational services and before the information is destroyed.

Approved: Apr. 1, 1997

Reviewed: April 23, 2013
June 25, 2024

Revised: Feb. 24, 2004
July 28, 2009
April 24, 2018