

# Manhasset Public Schools

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## **5000 – STUDENTS**

### **5500 STUDENT RECORDS**

**Last Updated Date: 10/22/2020**

**Revisions History: 10/22/2020, 03/28/1996**

**Related Policies & Documents: 1120, 4321, 5151, 5151R, 5500R, 5500E1, 5500E2, 5500E3, 5500E4, 5550, 8635, 8635E1, 8635E2**

### **Annual Notification**

At the beginning of each school year the District will publish a notification that informs parents, guardians and students currently in attendance of their rights under FERPA and the procedures for exercising those rights. A 'Parents' Bill of Rights for Data Privacy and Security' will be posted on the district website and included in any agreements with third-party contractors (see Policy 8635 and Regulation 8635-R – Information and Data Privacy Security, Breach and Notification – and Exhibits 8635-E-1 – Parents' Bill of Rights for Student Data Privacy and Security and 8635-E-2 -Parents' Bill of Rights for Student Data Privacy and Security, Third Party Contractor Supplement). The notice and 'Bill of Rights' may be published in a newspaper, handbook or other school bulletin or publication. The notice and 'Bill of Rights' will also be provided to parents, guardians, and students who enroll during the school year.

The notice and Parents' Bill of Rights will include a statement that the parent/guardian or eligible student has a right to:

1. Inspect and review the student's education records;
2. Request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. File a complaint with the U.S. Department of Education alleging failure of the District to comply with FERPA and its regulations; and/or file a complaint regarding a possible data breach by a third party contractor with the district and/or the New York State Education Department's Chief Privacy Officer for failure to comply with state law.

The annual notice and Parents' Bill of Rights will inform parents/guardians and students:

1. That it is the District's policy to disclose personally identifiable information (PII) from student records, without consent, to other school officials within the District whom the District has determined to have legitimate educational interests. The notice will define 'school official' and 'legitimate educational interest.'

2. That, upon request, the District will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. That personally identifiable information will be released to third party authorized representatives for the purposes of educational program audit, evaluation, enforcement or compliance purposes.
4. That the District, at its discretion, releases directory information (see definition below) without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent. The District will not sell directory information.
5. That, upon request, the District will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning, unless the parent or secondary school student exercises their right to prohibit release of the information without prior written consent.
6. Of the procedure for exercising the right to inspect, review and request amendment of student records.
7. That the District will provide information as a supplement to the 'Parents' Bill of Rights' about third parties with which the District contracts that use or have access to personally identifiable student data.

The District may also release student education records, or the personally identifiable information contained within, without consent, where permitted under federal law and regulation. For a complete list of exceptions to FERPA's prior consent requirements see Regulation 5500-R – Student Records, Section 5.

The District will effectively notify parents, guardians and students who have a primary or home language other than English.

In the absence of the parent/guardian or secondary school student exercising their right to opt out of the release of information to the military, the District is required to, under federal law, release the information indicated in item number five (5) in the list above.