



Central Islip Union Free School District

Board of Education & School District Policy Book

50 Wheeler Rd. | Central Islip | N.Y. | 11722

(631) 348-5000

<https://www.centralislip.k12.ny.us>

Section	Section Title	Type
5000	Student Policies	Local
Policy	Policy Title	
5500	Student Records	

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. As part of this responsibility, the Board will ensure that eligible students and parents/guardians have the right to inspect and review education records, the right to seek to amend education records and the right to have some control over the disclosure of information from the education record. The procedures for ensuring these rights will be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

The Board also recognizes its responsibility to ensure the orderly retention and disposition of the district's student records in accordance with Schedule ED-1 as adopted by the Board in policy 1120.

The District will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor. The district will document requests for and release of records, and retain the documentation in accordance with law.

Each Building Principal is responsible for ensuring that all requirements under law and the Commissioner's regulations are carried out by the district.

Definitions

- Education Record: means those records, in any format, directly related to the student and maintained by the district or by a party acting on behalf of the district, **except:**
 1. records in the sole possession of the individual who made it and not accessible or revealed to any other person except a substitute;
 2. records of the district's law enforcement unit;

3. records of treatment created or maintained by a physician, psychiatrist, psychologist, or other professional/paraprofessional acting in that capacity.
- Eligible student: a student who has reached the age of 18 or is attending postsecondary school.
 - Legitimate educational interest: a school official has a legitimate educational interest if they need to review a student's record in order to fulfill their professional responsibilities.
 - Personally identifiable information (PII): as it pertains to students, is information that would allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Such data might include social security number, student identification number, parents' name and/or address, a biometric record, etc. This term is fully defined in federal regulations at 34 CFR 99.3.
 - School official: a person who has a legitimate education interest in a student record who is employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official performing their tasks.

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. This notice may be published in the District calendar or other publications. This calendar or other publications will also be provided to parents, guardians, and students who enroll during the school year.

The notice 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 United States Department of Education alleging failure of the district to comply with FERPA and its regulations.

The annual notice will inform parents/guardians and students:

1. that it is the district's policy to disclose personally identifiable information 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;
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 or secondary school student exercises their right to prohibit release of the parent information without prior written consent; and
6. of the procedure for exercising the right to inspect, review and request amendment of student records.

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 accompanying regulation 5500-R, Section 5.

In the absence of the parent 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 number five (5) above.

Directory Information

The district has the option under FERPA of designating certain categories of student information as "directory information." The Board directs that "directory information" include a student's:

- Name
- ID number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems (only if the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the student's identity)
- Address (except information about a homeless student's living situation, as described below)
- Telephone number
- Date and place of birth
- Major course of study
- Participation in school activities or sports
- Weight and height if a member of an athletic team
- Dates of attendance
- Degrees and awards received
- Most recent school attended
- Grade level
- Photograph
- E-mail address
- Enrollment status

Information about a homeless student's living situation will be treated as a student educational record, and will not be deemed directory information. A parent/guardian or eligible student may elect, but cannot be compelled, to consent to release a student's address information in the same way they would for other student education records. The district's McKinney-Vento liaison will take reasonable measures to provide homeless students with information on educational, employment, or other postsecondary opportunities and other beneficial activities.

Social security numbers or other personally identifiable information will not be considered directory information.

Students who opt out of having directory information shared are still required to wear, display or disclose their student ID cards.

Once the proper FERPA notification is given by the district, a parent/guardian or eligible student will have 14 days to notify the district of any objections they have

to any of the "directory information" designations. If no objection is received, the district may release this information without prior approval of the parent/guardian or eligible student for the release. Once the eligible student or parent/guardian provides the "opt-out," it will remain in effect after the student is no longer enrolled in the school district.

The district may elect to provide a single notice regarding both directory information and information disclosed to military recruiters and institutions of higher education.

Adoption date: July 13, 2009

Revision date: September 14, 2020

Cross Reference:

1120, School District Records

4321, Programs for Students with Disabilities Under IDEA and Part 89

4532, School Volunteers

5550, Student Privacy

5151, Homeless Children

8635, Information and Data Security, Breach and Notification

Reference:

Family Educational Rights and Privacy Act, 20 USC 1232g; 34 CFR Part 99

No Child Left Behind Act, 20 USC §7908 (Military Recruiter Access

10 USC §503 as amended by §544 of the National Defense Reauthorization Act for FY 2002

Education Law §§ 2-a; 2-b; 2-c; 2-d; 225;

Public Officers Law §87(2)(a)

Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)

8 NYCRR Part 121 (Data Privacy)

8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for Use by School Districts and BOCES

"Guidance for Reasonable Methods and Written Agreements,

Parents' Bill of Rights for Data Privacy and Security, July 29, 2014;

Family Policy Compliance Office/Student Privacy Policy Office website