Eden Central School District

Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

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 education records. These rights 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 the building principal, a written request that identifies the record(s) they wish to inspect. The District official 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 otherwise in violation of FERPA. Parents or eligible students who wish to amend a record should write to the building principal, clearly identify the part of the record they want changed, and specify why it should be changed. 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 the 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. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. 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 personnel); a person serving on the school board; a person or company with whom the District has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, insurance investigator or company, medical consultant or therapist); a 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; an individual(s) and organization(s) which the District requests to make a review of the possible appropriateness of providing special education placement, program or services to a student on behalf of the District including, but not limited to BOCES (Board of Cooperative Educational Services), other school districts, approved private schools, and providers of services such as speech therapy, physical therapy, occupational therapy, music therapy, counseling,

autism services, special transportation, etc. An individual(s) and/ or organization(s) will be considered a school official regardless of whether the District compensates them for their services. 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 including, but not limited to, reviewing or recommending services, programs, or placement.

In the event of a health and safety emergency, the District may disclose information from a student's education record when such disclosure appears likely to protect the safety of the student or others.

Upon request, the District discloses education records without consent to officials of another district in which a student seeks or intends to enroll.

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 are:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, SW
   Washington, DC 20202

Eden Central School District

Directory Information Notice

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from your child's education records in certain District publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook or periodic newsletters; • Honor roll or other recognition lists;
- Graduation programs;
- Sports activity sheets, such as for wrestling, showing weight and height of team members; and
- The District's website, Facebook page, Twitter account, and/or other social media

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, may be disclosed to outside organizations without a parent's prior written consent in connection with school-related activities or purposes. Examples of such outside organizations include, but are not limited to companies that manufacture class rings or publish yearbooks. In addition, federal laws require the District to provide military recruiters, upon request, with the following information - names, addresses, and telephone listings - unless parents have advised the District that they do not want their student's information disclosed without prior written consent.

The District has designated the following information as directory information:

- Student's name - Participation in officially recognized activities and sports
- Photograph (still or moving) - Weight and height of members of athletic teams
- Major field of study - Degrees, honors, and awards received - Dates of attendance
- The most recent educational agency or institution attended - Grade level

If you DO NOT want the District to disclose directory information (as designated above) from your child's education records, without your prior written consent, you must notify your child's building principal by October 1st of each year. This must be renewed annually. Please be sure to submit one request per child.

The Eden Central School District utilizes several web-based services operated by third parties, for example, GoogleApps and GoogleDrive, and GoogleMail for Education (GAFE), as well as other cloud

storage services. In accordance with the Federal Children's Online Privacy Protection Act ("COPPA"), for students under the age of 13, the District must notify you that these services may collect personal information for the use and benefit of the school. If an operator of these applications or services intends to use or disclose students' personal information for the operator's own commercial purposes, the school must obtain parental consent.

Notification of Rights under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing vision or scoliosis screenings, or any physical exam or screening permitted or required under state law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use:

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under state law.

The Eden Central School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Eden Central School District will directly notify:

- parents of these policies at least annually at the start of each school year and after any substantive changes.
- parents of students who are scheduled to participate in the specific activities or surveys noted below.
- will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey through U.S. mail or email.

The Eden Central School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time.

For surveys and activities scheduled after the school year starts, parents will be:

- provided reasonable notification of the planned activities and surveys listed below
- provided an opportunity to opt their child out of such activities and surveys
- provided an opportunity to review any pertinent surveys

Below is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue; SW
Washington, DC 20202