Jackson School District Notification of Rights under FERPA for Elementary and Secondary Schools

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 School receives a request for access.**

Parents or eligible students should submit to the School principal a written request that identifies the record(s) they wish to inspect. The School 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.**

Parents or eligible students who wish to ask the School to amend a record should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School 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 provide written consent before the school discloses personally identifiable information (PII) from 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 school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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 school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. The Jackson School District will forward records on request, or if the disclosure is initiated by the parent or eligible student.

In January 2013, Congress passed the "Uninterrupted Scholars Act (USA)" which amended FERPA to permit educational agencies and institutions to disclose education records of students in foster care to state and county social service agencies or child welfare agencies. The statute also amended the requirement that educational agencies and institutions notify parents before complying with judicial orders and subpoenas in certain situations. It is important to note:
1. USA **only** applies to students in out-of-home placement for foster care.
2. USA is **only** for the purpose of an individual child's case plan to meet the education needs of an individual child.

4. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:**

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

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(*1*) - (a)(1)(i)(B)(*3*) are met. (§ 99.31(a)(1))

- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))

- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)

In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))

- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))

- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))

- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))

- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))

- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))

- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))

- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))

- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the Jackson School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Jackson School 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 school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as wrestling or other sport/activity stats for programs or sheets, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories—names, addresses and telephone listings—unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. **[Note: These laws are Section 9528 of the ESEA (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).]**

If you do not want the Jackson School District to disclose directory information from your child's education records without your prior written consent, you must notify your school principal in writing by Oct. 1 of a given school year.

The Jackson School District has designated the following information as directory information:

- Student's name, age, grade level, school
- Participation in district recognized activities and sports
- Weight and height of members of athletic teams
- Photograph
- Degrees, honors, and awards received
- Major field of study
- Dates of attendance or graduation
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

September 8, 2026

Release of Student Information to Military Recruiters, College/University Recruiters or Prospective Employers Notification

Dear Parent/Guardian:

The Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), requires local educational agencies (LEAs) receiving assistance under ESEA, upon request, to provide certain student information to military recruiters, institutions of higher education, and/or prospective employers [ESEA Section 8528].

ESEA Section 8528 outlines provisions that give military recruiters the same access to secondary school students as recruiters from postsecondary institutions or prospective employers and, when requested, requires LEAs to provide students' names, email addresses, addresses, and telephone numbers to military recruiters. The Jackson School District must provide this information unless a parent of a student who is younger than 18 years of age, or a student who is age 18 or over, opts out by notifying the school in writing that they do not consent to release this information.

If your child is younger than 18, and you do not consent to the disclosure of this information, you must complete, sign, and return the form on the next page to your child's school principal by Oct. 1, 2026. If your child is 18 years of age or older, they determine whether to consent to release the information, and they complete, sign, and return the attached form to the principal by Oct. 1, 2026. If the nondisclosure form is not returned by the designated date of Oct. 1, 2026, your child's information will be released upon request.

If you have any questions, please contact your school principal. Thank you for your cooperation.

Sincerely,

Dan Baginski
Superintendent of Schools

Release of Student Information to Military Recruiters, College/University Recruiters, or Prospective Employers Nondisclosure Form

Please complete and sign below if you do not want information for your child (under age 18), as described in the attached notification, released to military recruiters, institutions of higher education, and/or prospective employers. Adult students (age 18 or over) should complete and sign this nondisclosure form if they do not want their information released to military recruiters, institutions of higher education, and/or prospective employers. **NOTE**: The nondisclosure form does not need to be completed if a parent or adult student (age 18 or over) agrees to release certain student information.

Student Name: _____ Student's Grade Level: _____
(Print Student Name) (Print)

Name of School: _____
(Print Name of School)

If student is younger than 18:

☐ I am the parent of the student listed above who is under age 18.

Please check **ALL** that apply:

☐ **Military Recruiters**: I **do not want** my child's name, address, and telephone number to be shared with military recruiters.

☐ **Institutions of Higher Education**: I **do not want** my child's name, address, and telephone number to be shared with institutions of higher education.

☐ **Prospective Employers**: I **do not want** my child's name, address, and telephone number to be shared with prospective employers.

Parent Name: _____
(Print Name)

Parent Signature: _____ Date: _____
(Print)

If student is 18 or older:

☐ I am the student listed above and I am age 18 or over.

Please check **ALL** that apply:

☐ **Military Recruiters**: I **do not want** my name, address, and telephone number to be shared with military recruiters.

☐ **Institutions of Higher Education**: I **do not want** my name, address, and telephone number to be shared with institutions of higher education.

☐ **Prospective Employers**: I **do not want** my child's name, address, and telephone number to be shared with prospective employers.

Student Name: _____
(Print Name)

Student Signature: _____ Date: _____
(Print)

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, but are not limited to, 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 student's parent; 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 collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

Inspect, upon request and before administration or use –

1. Protected information surveys of students and surveys created by a third party;
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 to from the parents to a student who is 18 years old or an emancipated minor under State law.

The Jackson School District has 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. The Jackson School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The Jackson School District will also directly notify, such as through
U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The Jackson 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 and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following 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:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

September 8, 2026

Letter Informing Jackson School District Parents of their Right to Know Qualifications of Teachers

Dear Parent/Guardian:

The *Every Student Succeeds Act (ESSA)* was passed by the U.S. Congress late last year and signed into law on December 10, 2015. The *ESSA* replaces the *No Child Left Behind Act (NCLB)* and is the latest reauthorization of the *Elementary and Secondary Education Act (ESEA)*.

Although *NCLB* was designed to make changes in teaching and learning in order to increase students' academic achievement, the Highly Qualified Teacher (HQT) provision under *NCLB was* eliminated from the *ESSA*. Despite this fact, all educators in New Jersey still are required to hold the appropriate state certificate/license for their given position.

Under the *ESSA*, all schools receiving Title I funds must inform parents of their right to ask schools about the professional qualifications of their child's teachers and paraprofessionals, and we are happy to share this information with you upon your request. Additionally, schools are required to provide timely notice that a student has been assigned or has been taught for four or more consecutive weeks by a teacher who does not meet applicable State certification or licensure requirements.

The schools within our district that receive Title 1 Funds are Crawford-Rodriguez Elementary School, Holman Elementary School, Johnson Elementary School, Switlik Elementary School, and Jackson Township 5-6 School.

New Jersey has some of the most qualified teachers in the country, and we are extremely proud of the quality of the teaching staff in the Jackson School District. All our regular teachers have college degrees and many have advanced degrees. In addition, every teacher continues learning through professional development activities and our teachers are evaluated each year to make sure their teaching skills remain at the highest possible level.

I encourage you to support your child's education and communicate with your child's teacher(s) on a regular basis. For more information on *ESSA*, and the role of parents, please visit the United States Department of Education's (USDE) website at http://www.ed.gov/essa.

I also encourage you to view our Parent and Student Compact and our district's Parental Involvement Policy, which are available on the district website www.jacksonsd.org under Policies and also on the Title I Page. You may request a hard copy of this policy to be sent to you by calling our communications office at 732-833-4601.

By partnering, families and educators can provide your child with the best education possible.

Sincerely,

Dan Baginski
Superintendent of Schools