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**ACCESS TO STUDENT RECORDS – FERPA**

A. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA) affords parents/legal guardians 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/legal guardians or eligible students should submit to the School principal a written request that identifies the record(s) they wish to inspect. The School principal or his/her designee 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 record that the parent or eligible student believes is inaccurate or misleading. Parents/ legal guardians or eligible students may ask the School 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 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 consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Disclosure without consent is permitted to school officials with legitimate educational interests. A school official is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); or persons serving on the school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical or educational consultant, educational provider or therapist); or 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. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.

Upon request, the School District discloses education records without consent to officials of schools in which a student seeks or intends to enroll where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

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:

Family Policy Compliance Office   
U.S. Department of Education   
400 Maryland Avenue, SW   
Washington, DC 20202-5901

B. NOTICE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA) requires that the 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 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 School District to include this type of information from your child's education records in certain school publications. Examples include:

* Programs showing your student's role in an event;
* A yearbook;
* Honor roll or other recognition lists;
* Graduation programs; and
* Sports activity sheets that may show 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.

In addition, federal law requires local educational agencies (LEAs) or School Districts 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/legal guardians or eligible student have advised the LEA or School District that they do not want their student's information is closed without their prior written consent.

If you do not want the School District to disclose directory information from your child's education records without your prior written consent, you must notify the School District in writing by September 30, otherwise the School District will be authorized to disclose directory information. The School District has designated the following information as directory information:

* The student's name
* The student's class (i.e. first, seventh, twelfth, etc.)
* The student's extracurricular activities.
* The name of the school the student currently attends.
* Achievement awards and honors.
* Weight, height, and position on athletic teams.

C. PROTECTION OF PUPIL RIGHTS AMENDMENT NOTICE

FERPA affords parents/ legal guardians and eligible students 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/ legal guardians; 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 to from the parents/ legal guardians to a student who is 18 years old or an emancipated minor under State law.

The School District will develop and adopt policies, in consultation with parents/ legal guardians, 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 School District will directly notify parents/ legal guardians and eligible students of these policies at least annually at the start of each school year and after any substantive changes.

The School District will also directly notify, such as through U.S. Mail or email, parents/ legal guardians 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 School District will make this notification to parents/ legal guardians and eligible students 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/ legal guardians 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/ legal guardians and eligible students 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/ legal guardians or eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office   
U.S. Department of Education   
400 Maryland Avenue, S.W.   
Washington, D.C. 20202-5901

PROCEDURE TO INSPECT AND REVIEW RECORDS

1. Parents/guardians and eligible students wishing to inspect student records must file a written request to do so with the Principal. Such inspection shall take place during regular school hours or at reasonable times during vacation periods, but not during weekends or holidays.
2. Single copies of appropriate records shall be made available in a reasonable length of time, but in no case more than 45 days after request has been made in writing to the building principals. The records may be inspected by the parents, guardians, and all students once they reach eighteen in the presence of the records manager or his/her designee.
3. The school shall make a written record of the disclosure of all student information, except directory information, and such record will be kept in the student's file. This record of disclosure is also available for inspection by the parent or eligible student. A record of inspections will also be kept.
4. In cases involving a third party request for records requiring consent for disclosure under law, the student over 18, parent or guardian shall sign a consent Ruin furnished by the principal. Forms used will identify the records to which access is sought and will be placed in the student's file as a record of the request.
5. Access will be refused or granted depending upon the propriety of the request and validity of the request and consent forms.
6. If a request for access is refused, and the party who requested access objects to said refusal, said request will be referred to the Superintendent for a final ruling.
7. The building principal shall be the custodian of all student records in their school. III.

PROCEDURE TO AMEND RECORDS

1. The parent(s), guardian(s) of a student under 18, or a student over 18, shall have an opportunity to identify in writing, addressed to the building principal, the record or records which they believe to be inaccurate, misleading, or otherwise in violation of the privacy rights, together with a statement of the reasons for the requested amendment of the record.
2. A response by the building principal shall be made within fourteen (14) days indicating whether he/she finds the record to be inaccurate, misleading or otherwise in violation of the student's privacy rights and if so how the record will be corrected or deleted. The parent or eligible student will then be given five (5) days from receipt of the principal's decision to refer the request on to the Superintendent for a hearing.
3. If requested, a hearing before the Superintendent or his/her designee who does not have a direct interest in the outcome of the hearing, shall be held within a reasonable period of time, but in no case more than forty-five (45) days after receipt of such a request by the superintendent of schools. The parent(s), guardian(s) or student 18 years or older, will have the right to be represented by counsel and to present evidence in support of his/her belief that the record should be amended. A written decision will be rendered within thirty (30) days stating the disposition of the challenge to the record and the reasons for the determination. Although the hearing may be informal in nature, the processes used shall ensure fairness and impartiality. The decision made shall be final and not subject to appeal.
4. If as a result of the hearing the Superintendent or his/her designee decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, he/she shall inform the parent or the eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the School District.

First Reading: June 12, 2012

Second Reading: June 12, 2012

Revised: June 12, 2012

First Reading: May 11, 2016

Second Reading: May 25, 2016

Revised: May 25, 2016