

**216. STUDENT RECORDS
NOTIFICATION OF RIGHTS
PARENTS/GUARDIANS/ELIGIBLE STUDENTS**

The Family Educational Rights and Privacy Act (FERPA) and Pennsylvania law afford parents/guardians and students eighteen (18) years of age and over (eligible students) certain rights with respect to the student's educational records, as follows:

1. The right to inspect and review the student's education records within forty-five (45) days of the district's receipt of a request for access.

A parent/guardian or eligible student making such a request must submit to the school principal (or appropriate school official) a written request that identifies the record(s) s/he wishes to inspect. The principal will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.

2. The right to request amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate, misleading or otherwise violates the privacy rights of the student.

A parent/guardian or eligible student may request the district to amend a record s/he believes is inaccurate, misleading or violates the privacy rights of the student by clearly identifying in writing the part of the record s/he wants changed and specifying why it is inaccurate, misleading or violates the privacy rights of the student. The request shall be made to the building principal (or appropriate school official).

If the district decides not to amend the record as requested, the principal will notify the parent/guardian or eligible student of the decision and advise him/her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.

3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent.

Disclosure of personally identifiable information can be made without consent to the following:

- a. School officials, including teachers, with a legitimate need to review an education record in order to fulfill their professional responsibilities. This may include the disclosure of disciplinary information regarding conduct that posed a significant risk to the safety or well-being of the student or others. 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 unit personnel); a person serving on the Board of Education; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

- b. Officials of another school or school system in which the student seeks or intends to enroll. In this case, disciplinary information may be included. The district will make a reasonable attempt to notify the student's parents/guardians prior to the disclosure of information and will provide the parent/guardian with a copy of the record if so requested.
- c. Authorities named in FERPA and accompanying federal regulations, including authorized representatives of the Comptroller General of the United States, Secretary of Education, and state and local educational authorities.
- d. Officials connected with a student's application for a receipt of financial aid.
- e. State and local officials who are required to get specific information pursuant to state law if the disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released. If the state statute was enacted after November 19, 1974, the officials must certify in writing that the information will not be disclosed to any other person, except as provided by state law, without prior written consent of the parent/guardian.
- f. Educational testing and research organizations for the purpose of administering student aid programs or improving instruction or predictive tests as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
- g. Accrediting institutions.
- h. In emergency situations to appropriate persons if the information is necessary to protect the health and safety of the student or others.
- i. Anyone if required by a court order or subpoena. However, where the subpoena is issued by a federal grand jury, the district will make reasonable efforts to notify the parent/guardian or eligible student prior to complying with the subpoena or court order.

The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent/guardian or eligible student.

- 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 is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

- 5. The right to refuse to permit the designation of any or all of the categories of directory information.

The district is permitted by law to disclose directory information without written consent of the parent/guardian or eligible student. The parent/guardian or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if a written refusal is forwarded to the building principal by _____ of the current school term.

Directory information which may be released may include the student's name, date and place of birth; major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; the most recent and previous education agency or institution attended by the student; email address; photograph and other similar information.

6. The right to request that information not be provided to military recruiting officers.

Names, addresses and home telephone numbers of secondary school students will be released to military recruiting officers unless a student submits within twenty-one (21) calendar days a written request to the Superintendent that such information not be released.