

## **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 student’s education records.

### **THESE RIGHTS ARE:**

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 (or appropriate school official) 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.

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 District to amend a record should write the building principal (or appropriate school official), 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 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.

The right to consent to disclosures of personally identifiable information contained in the student’s educational 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 unit 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, 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 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 right to file a complaint with the U.S. Department of Education concerning alleged failures by Ichabod Crane Central School 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, 20202-5920

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Ichabod Crane Central School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Ichabod Crane 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 Ichabod Crane 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 for wrestling, 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 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 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. <sup>1</sup> Ichabod Crane Central School has designated the following information as directory information:

(Note: an LEA may, but does not have to, include all the information listed below.):

- Student's name
- Participation in officially recognized activities and sports
- Photograph
- Weight and height of members of athletic teams
- Grade level
- Degrees, honors, and awards received

If you do not want Ichabod Crane to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by October 1 of each new school year.

#### Public Relations Use Of Student Data/Photos

From time to time, school district officials may release student information (name, address, grade level, photograph, art, work, academic interest, participation in officially recognized activities and sports, terms of school attendance and graduation, awards received, etc.) for use in school district publications or within school building Web sites, or to the media for public relations purposes.

Parents who object to the release of their child's information and/or photograph should notify their child's building principal in writing on or before October 1 in any school year.

Please send notification to: Office of the Superintendent of Schools  
Ichabod Crane Central School District  
PO Box 820  
Valatie, NY 12184

<sup>1</sup> These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the nation's armed forces.