

Annual Notice Regarding Student Records

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. They are:

- (1) The right to inspect and review the student's education records within 45 calendar days of the day the District receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The building principal 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 in violation of the student's privacy rights.

Parents or eligible students may ask the District 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 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 of three possible exceptions, 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 to perform a special task (such as an attorney, auditor, AEA employees, medical consultant, or therapist);
 - A parent or student serving on an official committee, such as a disciplinary or grievance committee or student assistance team, 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 District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (Note: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to forward records on request).

- (4) The right to inform the school district that the parent does not want directory information, as defined below, to be released. Directory information can be released without prior parental consent. Any student over the age of eighteen or parent not wanting this information released to the public must object in writing by October 1st to the building principal. The objection needs to be renewed annually.

Directory information is defined in the Annual Notice. It may include: the student's name, e-mail address, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, the most recent previous educational agency or institution attended by the student, photograph or other likeness.

Even though student addresses and telephone numbers are not considered directory information in every instance, military recruiters and post-secondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters or post-secondary institutions to access the information must ask the District to withhold the information. Also, Districts that provide post-secondary institutions and potential employers access to students must provide the same right of access to military recruiters.

- (5) 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.

The District may share any information with the parties contained in the student's permanent record which is directly related to the juvenile justice systems' ability to effectively serve the student. Prior to adjudication, information contained in the permanent record may be disclosed by the District to the parties without parental consent or a court order. Information contained in a student's permanent record may be disclosed by the District to the parties after adjudication only with parental consent or a court order. Information shared pursuant to the agreement shall be used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian or legal or actual custodian. Information obtained from others will not be used for the basis of disciplinary action of the student. This agreement only governs a District's ability to share information and the purposes for which that information can be used.

The purpose for the sharing of information prior to a student's adjudication is to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well supervised educational programs supplemented by coordinated and appropriate services designated to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

The party requesting the information will contact the principal of the building in which the student is currently enrolled or was enrolled. The principal will forward the records within ten (10) business days of the request.

Confidential information shared between the parties and the District shall remain confidential and shall not be shared with any other person, unless otherwise provided by law. Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian or legal or actual custodian nor can it be used as the basis for disciplinary action of the student.

Legal Reference: No Child Left Behind, Title IX, Sec. 9528, P.L. 107-110

USA Patriot Act, Sec. 507, P.L. 107-56.

20 U.S.C. § 1232g, 1415

34 C.F.R. Pt. 99, 300, .610 et seq.

Iowa Code §§ 22; 279.9B, 280.24, .25, 622.10

281 I.A.C. 12.3(4); 41; .610 et seq.

1980 Op. Att'y Gen. 720, 825.

Interrupted Scholar Act – S-3472