

FERPA Annual Notice to Staff

- What is FERPA?
- What are parent's rights under FERPA?
- What constitutes an "educational record?"
- What have we designated as "directory information?"
- Are there any important changes since NCLB Act?
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What is FERPA?

- The “Family Educational Rights Privacy Act” is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under the U.S. DOE.

What are parent's rights under FERPA?

- Parents may review and inspect student records.
- Parents may request that the school change or amend any part of the record they disagree with. Parents have the right to an appeal if the school disagrees with their request for a change.
- Parents have the right to give permission before the school releases information, with some exceptions.

What constitutes an “educational record?”

- These are records directly related to a student that are maintained by the school. This would include:
 - Permanent records
 - EST referrals, notes and plans
 - IEP records
- “Records” under the law do NOT include your notes or lesson plans made for own purposes which are not accessible or revealed to anyone other than a substitute.

What have we designated as “directory information?”

- “Directory information” may be distributed without consent, as long as parents are notified and allowed to refuse distribution. Director information is generally not considered harmful or an invasion of privacy if released. The primary purpose is to allow publication in some school publications. Please review the form being sent home this Friday for more information.

Are there important changes since the No Child Left Behind Act?

- Under changes that were put in place under NCLB, the school district needs to have a system in place for transfer disciplinary records with respect to suspension or expulsion.
- NCLB also includes a major amendment to the Protection of Pupil Rights Act (formerly known as the Hatch Amendment) that gives parents more rights in regard to surveying students, the collection of information from students for marketing purposes, and non-emergency medical examinations.
- Additionally, the law allows for some exceptions in the case of a health or legal emergency. This came about after the Virginia Tech shooting incident. Federal Register explains that this shall be read to mean “related to the threat of an actual, impending, or imminent emergency, such as a terrorist attack, a natural disaster, a campus shooting, or the outbreak of an epidemic..” This can also be in cases of perceived self harm, making emergency medical treatment decisions.”

Where can I learn more?

- You can view the regulations and related links at:
- <http://www2.ed.gov/policy/gen/reg/ferpa/index.html>
- A brochure providing further guidance is available in the main office if you would like a copy