**Polk County Schools**

**Parental and Student Rights Under FERPA**

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights include:

* The right to inspect and review the student's education records within 45 days after the day the Polk County School System receives a request for access.

Parents or eligible students who wish to inspect their child’s or their education records should submit to the school principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school 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.

If the district determines not to amend the record as requested, it will inform the parent or eligible student of the decision and advise them of their right to a formal hearing. Detailed information about the hearing process will be provided upon notification.

* The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education 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 defined as:

* + An employee of the district, including administrators, teachers, support staff, health or medical personnel, and law enforcement officials.
	+ A School Board member
	+ A person or company contracted by the district to perform a specific task (e.g., attorney, auditor, therapist, or consultant)
	+ A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting a school official in fulfilling their duties.
* 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. Complaints should be directed to:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

Release of Student Directory Information

Under the Family Education Rights and Privacy Act (FERPA), an LEA must provide notice to parents of the types of student information that it releases publicly. This type of student information, commonly referred to as “directory information,” includes such items as names, addresses, and telephone numbers and is information generally not considered harmful or an invasion of privacy if disclosed. The notice must include an explanation of a parent’s right to request that the information not be disclosed without prior written consent. Additionally, students may be photographed throughout the school year for use in school publications, newsletters, and district websites, unless prohibited by the parent/guardian.

Additionally, ESSA requires that parents be notified that the school routinely discloses names, addresses, and telephone numbers to military recruiters upon request, subject to a parent’s request not to disclose such information without written consent.

A single notice provided through a mailing, student handbook, or other method that is reasonably calculated to inform parents of the above information is sufficient to satisfy the parental notification requirements of both FERPA and ESSA. The notification must advise the parent of how to opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.