

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. As part of this responsibility, eligible students and parents/guardians will have the right to inspect and review education records, the right to seek to amend education records and the right to have some control over the disclosure of information from the education record in accordance with law.

At the same time provision shall be made for the proper inspection of such records upon legal authority or upon the written direction or consent of the parent/guardian of the child. At least two (2) school days' notice shall be given to the appropriate School District authority by parents or students who wish to review individual records.

The Board of Education also recognizes its responsibility concerning the orderly retention and disposition of the School District's student records.

The School District will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor. The School District will document requests for and release of records, and retain the documentation in accordance with law. Standardized test scores, which are released by the State Department of Education on a School District-wide basis, are public information, but individual scores and/or student papers and written work will not be released as public information, except to the eligible parent or student.

Definitions

Authorized Representative: an authorized representative is any individual or entity designated by a State or local educational authority or a Federal agency headed by the Secretary, the Comptroller General or the Attorney General to carry out audits, evaluations or enforcement or compliance activities relating to educational programs.

Education Record: means those records, in any format, directly related to the student and maintained by the School District or by a party acting on behalf of the School District, except:

- (a) records in the sole possession of the individual who made it and not accessible or revealed to any other person except a substitute;
- (b) records of the School District's law enforcement right;
- (c) records of treatment created or maintained by a physician, psychiatrist, psychologist or other professional/paraprofessional acting that capacity.

Eligible student: a student who has reached the age of eighteen (18) or its attending postsecondary school.

Legitimate educational interest: a School District official has legitimate educational interest if they need to review a student's records in order to fulfill his or her professional responsibilities.

Personally identifiable information: is information that would allow a reasonable person in the School District or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Such data might include social security number, student identification number, parents' name and/or address, a biometric record, etc.

School District official: a person who has a legitimate education interest in a student record who is employed by the School District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the School District has contracted to perform a special task (such as 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 performing his or her tasks.

Annual Notification

At the beginning of each school year, the School District will publish a notification that informs parents, guardians and eligible students currently in attendance of their rights under FERPA and the procedures for exercising those rights. This notice may be published in a newspaper, handbook or other School District bulletin or publication. This notice will also be provided to parents, guardians, and eligible students who enroll during the school year.

The notice will include a statement that the parent/guardian or eligible student has a right to:

1. inspect and review the student's education records;
2. request that records be amended to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy rights;
3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. file a complaint with the United States Department of Education alleging failure of the School District to comply with FERPA and its regulations.

In addition, the annual notice will also inform parents/guardians and students:

1. that it is the School District's policy to disclose personally identifiable information from student records, without consent, to other School District officials within the School District whom the School District has determined to have legitimate educational interests. For purposes of this policy, a School District official is a person employed by the School District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the School District has contracted to perform a

special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another School District official performing his or her tasks. A School District official has a legitimate educational interest if the official needs to review a student record in order to fulfill his or her professional responsibilities.

2. that, upon request, the School District will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. that personally identifiable information will be released to third party authorized representatives for the purposes of an educational program audit, evaluation, enforcement or compliance purposes.
4. that the School District, in its discretion, releases directory information (see definition below) without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent.
5. of the procedure for exercising the right to inspect, review and request amendment of student records.

The School District will provide translations of this notice, where necessary, and to the extent practicable, to parents, guardians and eligible students in their native language or dominant mode of communication.

Directory Information

The School District has the option under FERPA of designating certain categories of student information as "directory information." The Board of Education directs that "directory information" include:

- a student's name,
- address,
- telephone number, and
- photograph.

Under no circumstances will social security numbers or other personally identifiable information be considered directory information.

Once the proper FERPA notification is given by the School District, a parent/guardian or eligible student will have fourteen (14) days to notify the School District of any objections they have to any of the "directory information" designations. If no objection is received, the School District may release this information without prior approval of the parent/guardian or eligible student for the release. Once the eligible student or parent/guardian provides the "opt-out," the opt-out will remain in effect after the student is no longer enrolled in the School District.

Ref: 20 USC 1232g; 34 CFR Part 99

20 USC §7908 (Military Recruiter Access)
10 USC §503 as amended by §544 of the National Defense Reauthorization Law §225
Public Officers Law §87(2)(a)
Arts and Cultural Affairs Law, Article 57-A
8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1

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