

NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents the right to have access to their student's education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records. When a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student ("eligible student"). The full text of the FERPA statute can be found at 20 U.S.C. § 1232g and the FERPA regulations can be found at 34 CFR Part 99. For additional information, please see the FERPA Notice of Rights and opt-out form at the end of this document.

FERPA affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. 20 U.S.C. § 1232g; 34 CFR Part 99, *et seq.* These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents/guardians or eligible students should submit to the school Principal/designee [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.

Note: FERPA does not restrict FPCS's obligations under federal civil rights laws. For example, a student who reports harassment may view the outcome of their investigation, which includes any sanctions the school imposes on their harasser that "directly relate" to the harassed student (e.g., a no-contact order).

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents/guardians or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school Principal/designee [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent/guardian or eligible student, the school will notify the parent/guardian 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/guardian or eligible student when notified of the right to a hearing.
3. 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.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the *School District* to comply with the requirements of FERPA. The name and address of the office responsible for administering FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

See the list below of the disclosures that elementary and secondary schools may make without consent.

In limited circumstances FERPA permits the disclosure of Personally Identifiable Information (PII) from students' education records, without prior written consent of the parent or eligible student, if the disclosure meets certain conditions found in section 99.31 of the FERPA regulations. Parents and eligible students have a right to inspect and review the records that have been disclosed.

In the following situations FPCS may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

- A. To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met.
- B. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. FPCS will forward such records upon request.
- C. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of section 99.35, in connection with an audit or evaluation of Federal- or State- supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
- D. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- E. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to section 99.38.
- F. To organizations conducting studies for, or on behalf of, the school, in order to: (i) develop, validate, or administer predictive tests; (ii) administer student aid programs; or (iii) improve instruction.
- G. To accrediting organizations to carry out their accrediting functions.
- H. To parents of an eligible student if the student is a dependent for IRS tax purposes.
- I. To comply with a judicial order or lawfully issued subpoena.
- J. To appropriate officials in connection with a health or safety emergency.
- K. To an agency caseworker or other representative of a State or local child welfare agency or authorized tribal organization when that organization is legally responsible for the care and protection of the student, pursuant to the Uninterrupted Scholars Act of 2013.
- L. Information the school has designated as "directory information" unless the parent or student over the age of 18 notifies the school in writing that they do not wish for directory information to be disclosed without prior consent. Directory information at FPCS includes:
 - Student Name; Mailing Address and Telephone Listing

- Date and Place of Birth
- Participation in Officially Recognized Activities and Sports
- Weight and Height of Members of Athletic Teams
- Honors and Awards Received
- Major Field of Study
- Dates of Attendance, Grade Level, and Enrollment Status
- Most recent prior school of attendance
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot and will not be used for this purpose.)

RELEASE OF STUDENT DIRECTORY INFORMATION OPT-OUT FORM

To: All Parents/Guardians and Adult Students (18 years of age and older)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that requires FPCS with certain exceptions, to get your permission before disclosing Personally Identifiable Information (PII) from education records. However, FPCS may disclose basic “directory information” that is generally not considered harmful or an invasion of privacy without your consent. The primary purpose of directory information is to allow FPCS to include this type of information in certain school publications such as pamphlets for drama productions, graduation programs, honor rolls or sports team activity sheets for football, basketball, etc. Directory information can also be disclosed to outside organizations such as federal and state agencies offering jobs and educational benefits, media sources, and companies that make class rings and publish yearbooks.

The information listed below has been designated as directory information under District of Columbia law and FERPA, and may therefore be released at the discretion of FPCS. You have the right to instruct FPCS that it may not release any or all of this information without obtaining your prior written consent by completing this form. Your decision on this form will be valid for the remainder of the current school year.

A new Release of Student Directory Information form must be completed each school year.

	Student Name, Address, Telephone Listing		Weight and Height of Members of Athletic Teams
	Name of School Attending		Diplomas and Awards Received
	Major Area of Student		Student’s Date and Place of Birth
	Student ID Number/User ID		Names of School Previously Attended
	Participation in Officially Recognized Activities and Sports		Dates of Attendance, Grade Level, Enrollment Status

By signing below, I am giving written notification to FPCS that it may not disclose the directory information items I have placed a check mark beside above unless I give prior written consent. I understand that such information may still be disclosed by FPCS if disclosure is otherwise permissible under FERPA.

Student Name

Student School

Name of Parent, Guardian, or Participating Adult

Signature

Date

Student Signature, if at least 18 years old

Print Name

Date

This information will be designated as directory information for the 2019-2020 school year if this form is not completed at the time of enrollment.