

NOTIFICATION OF RIGHTS UNDER FERPA

For complete FERPA guidelines refer to JO, JO-R.1 THRU R.6

Parents will be notified of their rights under the Federal Educational Rights and Privacy Act (FERPA) annually by publication in their child's student handbook published/distributed in August, at the beginning of each school term.

The school division shall notify, at least annually, the parents of students in attendance (including those parents identified as having a primary or home language other than English) and eligible students in attendance (a student who has reached age 18) by such means as are reasonably likely to inform them of their rights as follows:

1. Disclosure of Student Records Content - When a request for disclosure of scholastic record data is made, such a request shall be granted immediately, if practicable, but in no case more than five (5) administrative working days after the date of the request. If the custodian determines that it is practically impossible to provide the requested records or to determine whether they are available within the five (5) administrative working days, the custodian shall inform the requesting party and shall have an additional seven (7) administrative working days to provide the requested records.

2. Correction of Education Records - Parents or eligible students shall be notified of their right to challenge the content and to ask to have records corrected (including expungement) that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

- Parents or the eligible student must request in writing that the TAZEWELL COUNTY Public Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
- TAZEWELL COUNTY Public Schools shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
- Upon request, TAZEWELL COUNTY Public Schools shall arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
- The parent or eligible student may, at his/her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
- The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
- TAZEWELL COUNTY Public Schools shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.
- If Tazewell County Public Schools decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents or eligible student, in writing, that the record has been amended.
- If TAZEWELL COUNTY Public Schools decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

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 exception which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the division 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 division 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 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 school division discloses education records without consent to officials of another school division in which a student seeks or intends to enroll.

Disclosure to Federal Agencies

Notwithstanding any other provision of law or policy, no member or employee of the Tazewell County Public School Board will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

Directory Information

Directory information is information that is generally not considered harmful or an invasion of privacy if released. It can be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three (3) directory information categories - - names, addresses and telephone listing - - unless the parent has advised the LEA that they do not want their child's information disclosed without their prior consent.

TAZEWELL COUNTY Public Schools will release directory information without prior written consent unless the parent or guardian or eligible student informs the principal in writing that any or all of the information designated below should not be released without prior consent.

- Student's name, address, date of birth, dates of enrollment, photograph
- Parent or guardian's name and address;
- Student's grade level classification;
- Student's participation in recognized school activities and sports;
- Weight and height of member of athletic teams;
- Student's diplomas, certificates, awards and honors received.

Student Directory Information

A. Generally

The school board authorizes making student directory information public as permitted under State and federal laws and regulations.

B. Definition

Student directory information is defined to include the following:

1. name of student in attendance or no longer in attendance;
2. address;
3. date and place of birth;
4. telephone listing;
5. dates of attendance;
6. participation in officially recognized activities and sports;
7. height and weight, if member of athletic team;
8. awards and honors received; and
9. other similar information.

C. Release of Directory Information

1. Prior to release of such information the superintendent or designated principals shall give public notice of such intent in a newspaper of general circulation, a school paper, patron organization newsletter or announcements sent home to parents describing the kind of information being in the directory category.
2. Such notices must be given, not more than 15 working days, before actual release of such information to give anyone affected the opportunity to notify school authorities of his/her objection, in which case the information relating to that student will not be made public.

Parents not wanting Tazewell County Public Schools to disclose directory information from their child's education records without prior written consent, must notify their child's school officials in writing by **September 30, 2016**.

4. Parents have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the school division 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, S W, Washington, D C 20202 - 5901 .