

**Model Notification of Rights under FERPA  
For Elementary and Secondary Schools**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. 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.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the School to amend a record they believe is inaccurate. They should write the School principal (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 or eligible student, the School will notify the parent 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 or eligible student when notified of the right to a hearing.
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 School as an administrator, supervisor, instructor, or 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 School 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.

(Optional) Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.)

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 that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

(NOTE: In addition, a school may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.)

## **Family Educational Rights and Privacy Act (FERPA) Notice for Directory Information**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Amherst County Public Schools (ACPS), with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, ACPS may disclose appropriately designated "directory information" without written consent, unless you have advised the school division to the contrary in accordance with school division procedures. The primary purpose of directory information is to allow ACPS to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also 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 the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent\*.

If you do not want ACPS to disclose directory information from your child's education records without your prior written consent, you must notify the supervisor of Technology in writing within fifteen (15) days of receiving this notice. ACPS has designated the following information as directory information (Note: an LEA may, but does not have to, include all the information listed below.):

- Student's name
- Names of student's parents or guardians
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Classroom assignments and teachers

\*These laws are Section 9528 of the *Elementary and Secondary Education Act* (20 U.S.C. § 7908), as amended by the *No Child Left Behind Act of 2001* (P.L. 107-110), the *educational bill*, and 10 U.S.C. § 503©, as amended by section 544, the *National Defense Authorization Act for Fiscal Year 2002* (P.L. 107-07), the *legislation that provides funding for the Nation's armed forces*.