

ANNUAL NOTIFICATION OF FERPA RIGHTS

The Family and Educational Rights and Privacy Act (FERPA) is administered by the Family Policy Compliance Office in the US Department of Education and applies to all education agencies and institutions that receive funding under any program administered by the Department. Once a student reaches 18 years of age or attends a post-secondary institution, he or she becomes an “eligible student,” and all rights described below formerly given to parents/guardians under FERPA transfer to the student. A full review of FERPA Guidelines may be accessed at www.ed.gov.

DEFINITIONS

School Official: A “school official” may include, but is not solely limited to, hired or contracted parties such as: teachers; instructional assistants; evaluators, administrators; health staff; counselors; attorneys; clerical staff; members of committees and disciplinary boards; and a contractor, volunteer or other party to whom the school district has outsourced institutional services or functions.

Legitimate Educational Interest: 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.

Eligible Student: An “eligible student” is a one who is at least age 18 or attends a post-secondary institution.

Directory Information: Directory information is defined as information contained in the education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

RIGHTS

Access to Education Records: Parents/Guardians have the right to inspect and review all official records, files, and data directly relating to their child, including the permanent record folder. A request to review such records must be made to the school principal.

Amendment to Education Records: Parents/Guardians have the right to request that a school amends records believed to be inaccurate or misleading. This right cannot be used to challenge a grade or an individual's opinion, or a substantive decision made by a school about a student and, therefore, would not warrant a hearing. While the school is not required to amend records in accordance with a request, the school is required to consider the request. If the school decides not to amend a record in accordance to a request, the school must inform the parent/guardian of a hearing on the matter. If, as a result of the hearing, the school still decides not to amend the record, the requester has a right to insert a statement in the education record setting forth his or her views. That statement must remain with the contested part of the student's record for as long as the record is maintained.

Disclosure of Education Records: Generally, schools must have written permission from the parent/guardian in order to release education records or personally identifiable information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- School officials with legitimate educational interest;
- Other school to which a student is transferring;
- Specified officials for audit and evaluation purposes;
- Appropriate parties in connection with financial aid to a student;

- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully-issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, with a juvenile justice system, pursuant to specific State law.

Homewood City Schools will disclose a student's education records to another school that the student seeks or intends to enroll upon receipt of an official request from the receiving school. Each year, the Jefferson County Department of Health conducts an audit of student educational records to ensure that children enrolled in school in Jefferson County are protected from vaccine-preventable diseases or have a valid exemption from vaccination. During the course of the audit, local health department employees will check for appropriate vaccinations and a valid expiration date on the blue form or for an appropriate exemption form. No identifying information about the child is kept by the health department employees. If a child needs further vaccination or an updated certificate, the school will be notified at the completion of the audit. Parents/Guardians have the right to request that their child's Alabama Certificate of Immunization not be reviewed by persons not employed by the school district.

Schools may also disclose, without consent, directory information. Homewood City Schools considers the following information directory information: student's name, address, e-mail address, telephone listing/number, photograph, date and place of birth, major field of study, participation in officially-recognized activities and sports, weight and height of members of athletic teams, honors and awards, dates of attendance, previous educational institutions attended, and grade level/class level for a grade. All or parts of this information may be publicized in a variety of ways, for example: school yearbook, sports programs, newsletters, student telephone directories, websites, televised events or clips, newspaper articles/print publications, district and school websites, and other school-approved digital resources, which may include social media. Parents/Guardians have the right to request that the school not disclose directory information about their student.

In addition, under Section 9528 of the Elementary and Secondary Education Act (ESEA), school districts must notify parents of their option to request that their child's name, address, and telephone number not be disclosed to military recruiters or postsecondary institutions. Parents/Guardians have the right to request that this information not be released to military recruiters or postsecondary institutions without prior written consent.

Parents/Guardians who do not wish to allow directory information about their child to be published, or have their child's Alabama Certificate of Immunization education reviewed by persons not employed by the school district, or to release personal identifiable information to recruiters or postsecondary institutions, should notify the school principal who will have a form for parents to complete. Once completed, the form must be returned to the school principal. The completion of this form will preclude the disclosure to all print and electronic publications and to health department personnel, and to recruiters and postsecondary institutions. Please be aware that due to the public nature of some types of performances, competitions, and extracurricular/school activities, the school district is limited in its ability to protect the privacy of those students who choose to participate in such events/activities.

Filing Complaints of Alleged Failure to Comply: Parents/Guardians have the right to file a complaint regarding an alleged failure by a school to comply with FERPA. Complaints should be

submitted to the Family Policy Compliance Office within 180 days of the date the complainant knew or reasonably should have known of the alleged violation of FERPA and should contain specific allegation of fact, giving reasonable cause that a violation may have occurred.