

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g) is a federal law that protects the disclosure of personally identifiable information contained in protected education records, and guarantees parents and eligible students access to the student records. "Eligible students" are those students over 18 years of age to whom FERPA rights are transferred; however, under certain circumstances—such as when the student remains a dependent for federal income tax purposes—the parent of an 18 year old student is still entitled to access education records even after the student turns 18 years of age.

Specifically, FERPA rights include:

The right to inspect and review a student's education records within 45 days of the date the district receives a request for access. Parents or eligible students should submit to the school principal or other appropriate school official a written request that identifies the records they wish to inspect. The principal will make arrangements for access and notify the parents or eligible students of the time and place where the records may be inspected. The right to request an amendment of the student's education records that the parent or eligible student believes to be inaccurate or misleading. A written request should be submitted to the school principal clearly identifying the part of the records for which a change is requested and explaining why it is considered inaccurate or misleading. If the Kelso School District decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding their request for the amendment. Additional information regarding hearing procedures will be provided to the parents or eligible student when they are notified of their right to a hearing.

Parent/guardians or eligible students have a right to inspect or review information, including when the student is a dependent under IRS tax code, when the student has violated a law or the school rules regarding alcohol or substance abuse (and the student is under 21), and when the information is needed to protect the health or safety of the student or other individuals.

The right to consent to disclosures of personally identifiable information contained in the student's educational 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 district 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 district has contracted to perform a special task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent/guardian 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 district discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district 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 SW, Washington, D.C. 20202-4605.

Release of Student "Directory Information"

A category of information contained in student records is designated under FERPA as "directory information." Unlike other education records that require consent before disclosure, directory information may be released unless the parent or eligible student specifically objects to disclosure. The primary purpose of directory information is to allow Kelso Schools to include this type of information in certain school publications, including; drama, musical, or sports programs; the annual yearbook; graduation programs; or photographs on a school or district website. The Kelso School District has designated the following information as directory information:

- A student's name
- A student's address, telephone listing, and email address
- The student's image or likeness in pictures, videotape, film, or other medium
- The student's date and place of birth
- The student's course of study
- Participation in officially recognized activities and sports
- Height and weight of a member of an athletic team

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- Dates of attendance
- The most recent school attended by the student
- Degrees and awards received

If the circumstances of disclosure to a third party would confirm or reveal that a student is a person with a disability, federal and state law prohibits the release of even directory information without written consent of a parent or eligible student. If a parent or eligible student desires that directory information not be released, he or she should notify the principal of the school where the student attends.

Federal law requires disclosure of a student's personal information to military recruiters upon request unless parent/guardian or an eligible student have advised the school district that student information cannot be disclosed without prior written consent. If a parent or eligible student does not want the Kelso School District to disclose such personal information, the school building must be notified in writing. Non-Disclosure forms can be found at www.kelso.wednet.edu or at your student's school.