

**NOTICE REGARDING FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT
(FERPA) FOR STUDENTS IN THE LAWTON PUBLIC SCHOOL DISTRICT**

NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY & SECONDARY SCHOOLS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("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 after the day the Lawton Public School District receives a request for access.

Parents or eligible students should submit to the school principal, or other administrator, a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the Lawton Public Schools to amend a record should write the school principal or other administrator, clearly identify the part of the record they want changed, and specify why it should be changed. 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 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 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.

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 support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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 Lawton Public Schools discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [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.]

School districts may disclose, without consent, "directory" information; however, school districts must inform parents and eligible students about directory information, allowing them a reasonable amount of time to request that the school not disclose directory information about that child. See additional information listed below under "NOTICE TO PARENTS REGARDING RELEASE OF DIRECTORY INFORMATION." School districts must notify parents and eligible students annually of their rights under FERPA by means of a special letter, inclusion in a Parent/Teacher Association (PTA) bulletin, student handbook, and/or other means left to the discretion of each school district.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Lawton Public Schools 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

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

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- 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)(I) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- 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. (§99.31(a)(2))
- 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 §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. (§§99.31(a)(3) and 99.35)
- 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. (§99.31(a)(4))
- 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 §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))

- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))
- To an agency caseworker or representative of a State or local child welfare agency, or tribal organization authorized to access a student’s case plan, and when the agency or organization is legally responsible in accordance with State or tribal law, for the child’s care and protection of the student (§99 amendment by the Uninterrupted Scholars Act, P.L. 112-278, on January 14, 2013)

PUBLIC NOTICE TO PARENTS REGARDING RELEASE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Lawton Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of PII from your child’s education records. However, Lawton Public Schools may disclose appropriately designated “directory information” without a parent’s written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Lawton Public Schools 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 would not generally be 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. As defined by Oklahoma State law (51 O.S. § 24A.16), “directory information” includes a child’s name, address, telephone listing, date and place of birth, major field of study, participation in recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational institution attended by the child. The following categories of information have been designated as “directory information” by Lawton Public Schools:

1. student’s name

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2. parent's name
3. home address
4. date and place of birth
5. major field of study
6. participation in officially recognized activities and sports
7. weight and height of members of athletic teams
8. dates of school attendance
9. awards received
10. distinguished academic performance
11. most recent school attended

These items classified as "directory information" by Lawton Public Schools will be released without prior parental consent unless the parent or eligible student, within 60 days of enrollment of each school year, notifies the school district in writing of the parent's refusal to let the district designate any or all of the information listed as "directory information." The notice provided to the school district in writing should designate specifically what items should not be released without the parent's consent for that parent's child. If you do not want Lawton Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within 60 days of enrollment each school year.

FERPA POLICY INFORMATION

A copy of the FERPA policy adopted by Lawton Public Schools may be obtained upon a request being made by a parent or eligible student to any school official or site administrator. In addition, this legal notice is published annually in the local newspaper prior to any major identification, location, or evaluation "child find" activities conducted by Lawton Public Schools. This notice of rights under FERPA will be provided as needed in the native languages of the various population groups of the State of Oklahoma residing within the Lawton Public School district. Accommodations for other languages or means of communication will be provided by Lawton Public Schools upon request for parents or eligible young adults who have disabilities or have a primary or home language other than English.

For additional information regarding FERPA or to obtain a copy of the FERPA policy, contact any school official or site administrator within Lawton Public Schools. Parents or eligible students may also obtain a copy of the FERPA policy from the Shoemaker Education Center, 753 NW Fort Sill Boulevard, P.O. Box 1009, Lawton Oklahoma, 73502.