

## NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

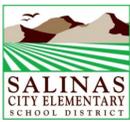
The Family Educational Rights and Privacy Act (FERPA) affords parents certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the Salinas City Elementary School District ("SCESD") or one of its schools receives a request for access.
  - Parents who wish to inspect their child's or their education records should submit to the school principal a written request that identifies the records they wish to inspect. The school or District official will make arrangements for access and notify the parent 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 believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
  - Parents who wish to ask the school or District to amend their child's or their education record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school principal decides not to amend the record as requested by the parent, the District will notify the parent 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 when notified of the right to a hearing.
3. The right to provide written consent before the District 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 or District officials with legitimate educational interests. The criteria for determining who constitutes a school or District official and what constitutes a legitimate educational interest must be set forth in the district's annual notification for FERPA rights. A school or district official typically includes a person employed by the school or district 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 Board of Education. A school or district official also may include a volunteer, contractor, or consultant who, while not employed by the District, performs an institutional service or function for which the District would otherwise use its own employees and who is under the direct control of the school or district 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 district official in performing his or her tasks. A district official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or 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

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

- To other District officials, including teachers, within the educational agency or institution whom the District has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the District has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school or district, 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'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, if applicable requirements are met. (§§ 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 for such purposes as 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 District, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))



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- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the District has designated as “directory information” if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student’s case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

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. The primary purpose of directory information is to allow the school or school district to include 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;
- Newsletters
- District-sponsored websites
- District/school/classroom social media
- Graduation programs
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

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, as amended (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 SCESD or one of its schools to disclose any or all of the types of information designated below as directory information from your child’s education records without your prior written consent, you must notify the SCESD or one of its schools in writing within one month after your child’s enrollment date by completing the SCESD “*Denial of Permission Form: Directory Information Opt-Out*”.

Any and all of the following items of directory information relating to a pupil may be released to a designated recipient unless a written request is on file to withhold its release as indicated in the Information Release Form submitted to the school.

- Student’s name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Grade level
- Participation in officially recognized activities and sports
- Honors and awards received
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user.