

SAMPLE NOTIFICATION OF RIGHTS UNDER FERPA

_____ **PUBLIC SCHOOLS**

_____, **Connecticut**

Dear Parent or Student:

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. They are:

1. The right to inspect and review the student's education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal/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 may ask the District to amend a record that 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 or misleading, or otherwise violates the student's privacy rights.

If the 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 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 District 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, including teachers within the District, 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); or a person serving on the Board of Education. A school official may also include a volunteer or contractor outside of the District who 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 District with respect to the use and maintenance of personally identifiable information from education

records. This includes a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); a parent of student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

Contractors, consultants, volunteers, and other parties to whom a school has outsourced services or functions are considered "school officials" who may have access to student records, without consent, subject to following conditions:

The party is under the direct control of the school.

The party is subject to the same conditions governing the use and redisclosure of education records applicable to other school officials.

The contractor must ensure that only individuals with legitimate educational interests, as determined by the district or school, obtain access to the education records. The contractor may not redisclose personally identifiable information without consent unless the District or school has authorized the redisclosure under a FERPA exception and the district or school records the subsequent disclosure.

Upon request, the District will disclose a student's education record without consent to officials of another school district or charter school or institution of postsecondary education in which 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. (Note: FERPA requires a school district to make a reasonable attempt to notify the 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 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 DC 20202-4605

Note: In addition, a school may want to include its directory notice as required by FERPA regulations with its annual notification of rights under FERPA. Such a notice is provided in item #5. Be sure that which is listed as "Directory Information" in this notification agrees with what the district has designated as "Directory Information."

5. *The District has determined that the following information regarding the District's students is not harmful or an invasion of privacy, and therefore will release this information without first obtaining parental consent. If a parent, guardian, person acting as a student's parent in the*

absence of a parent or guardian, or the student (if 18 or older), does not want the District to release the information listed below, they must notify the District in writing within two weeks of receiving this notice of the information they do not want released.

The following information may be released without obtaining parental consent:

Student's name, parent's name, address, telephone number, electronic mail address, date and place of birth, grade level, major field of study, enrollment status (full-time or part-time), participation in officially recognized activities and sports including audiovisual or photographic records of the openly visible, activities thereof (e.g. artistic performances sporting contests, assemblies, service projects, awards ceremonies, etc.), weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, most recent previous school attended and photographs of regular school activities that do not disclose specific academic information about the child and/or would not be considered harmful or an invasion of privacy.

A student's ID number or otherwise unique personal identifier displayed on a student ID badge is considered directory information, 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 authenticates the user's identity, such as a PIN, password, or other factors known only to the authorized user.

6. Pursuant to federal law, military recruiters and institutions of higher learning may request and receive the names, addresses and telephone numbers of all high school students, unless their parents or guardians notify the school not to release this information. Please notify the District in writing if you do not want this information released.

7. Personally identifiable information in the student's records may be released to authorized representatives of the Attorney General of the United States, the U.S. Secretary of Education, or State and local educational authorities such as the Connecticut Department of Education 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, and 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.

8. Schools may release information received under a community notification program concerning a student who is required to register as a sex offender in the State, with consent.

9. 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/guardian or eligible student, FERPA regulations require the District to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures.

10. Information may be disclosed from the education records of a student without obtaining prior written consent of the parents or the eligible student in the following situations:

a. 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.

- b. 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.
- c. 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.
- d. To accrediting organizations to carry out their accrediting functions.
- e. To parents of an eligible student if the student is a dependent for IRS tax purposes.
- f. To comply with a judicial order or lawfully issued subpoena.
- g. To appropriate officials in connection with a health or safety emergency.
- h. Information the school has designated as "directory information."
- i. To child welfare agencies or tribal organizations that are legally responsible for the care and protection of students, including the educational stability of children in foster care.

**NOTIFICATION OF RELEASE OF STUDENT RECORDS
PURSUANT TO COURT ORDER OR SUBPOENA**

_____Public Schools
_____, Connecticut

TO:

Parent - Student

Address

The purpose of this notice is to notify you that on _____ (date), the
_____ (school district) released the following documents:

from your child's (your own) student records to:

pursuant to a court order or subpoena, a copy of which is attached hereto.

DATED: _____

Note: When a parent is a party to a court proceeding involving child abuse or neglect, or dependency matters, and a judicial order is issued in the context of that proceeding, or pursuant to a lawfully issued subpoena, additional notice to the parent by the educational agency or institution is not required pertaining to the disclosure of the records.

5125 FORM #3

**APPLICATION TO REVIEW STUDENT'S RECORDS
AND CONSENT THERETO BY PARENT OR STUDENT**

_____ **Public Schools**
_____, **Connecticut**

I,

have hereby requested access to

records for the following reasons:

Said records will not be made available to any other person or persons without the specific written consent of (Parent-Student)

DATED: _____

CONSENT _____

I hereby consent that

—

have access to my child's (to my) records with the understanding that such records will not be released by him/her to other persons without my further consent.

DATED: _____

**APPLICATION TO REVIEW STUDENT'S RECORDS
BY PARTIES ENTITLED THERETO
WITHOUT CONSENT BY PARENT OR STUDENT**

_____Public Schools
_____, Connecticut

I,

have hereby requested access to

records for the following reasons:

Said records will not be made available to any other person or persons without the specific written

consent of (Parent-Student)

DATED: _____

_____ PUBLIC SCHOOLS

_____, Connecticut

RELEASE OF CONFIDENTIAL HIV-RELATED INFORMATION

I hereby authorize _____ to release

[name of individual who holds the information]

confidential HIV-related information, as defined in Connecticut General Statute §19a-581, concerning _____ to the following personnel:

[name of protected individual]

1. School Nurse
2. School Administrator(s)
 - a. _____
 - b. _____
3. Student's Teacher(s)
 - a. _____
 - b. _____
4. Paraprofessional(s)
5. Director of Pupil Personnel Services
6. Other(s)
 - a. _____
 - b. _____

This authorization shall be valid for:

1. • The student's stay at _____ School
2. • The current school year
3. • Other _____ (specify period)

I provide this information based on my responsibility to consent for the health care of _____ . I understand that such information shall be

held confidential by the persons authorized here to receive such information, except as otherwise provided by law.

Name _____

Relationship to Student _____

Date _____
