



Family Educational Rights & Privacy Act (FERPA)

WARWICK SCHOOL DISTRICT

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents rights concerning their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students".

- 1. Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.**

At Warwick, parents or eligible students should submit to the school principal 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. Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.**

Parents or eligible students who wish to ask the Warwick School District to amend a 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 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. Parents have 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. (34 CFR § 99.31)**

One exception, which permits disclosure without parental 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.

Additional exceptions include other schools to which a student is transferring (Upon request, the district discloses educational records without consent to officials of another district in which a student seeks or intends to enroll.); Specified officials for audit or 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; Compliance with a judicial order or lawfully issued subpoena; Appropriate officials in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to specific State law.

4. Parents have 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 are
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

5. The right to refuse the designation of any or all categories of directory information.

The District is permitted by law to disclose directory information without the written consent of the parent or eligible student. The parent or eligible student has the right to refuse to permit the disclosures of any or all directory information if a written refusal is forwarded to the building principal no later than September 15" of the current school year.

Directory information means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to a student's name, address, telephone number, e-mail address, photos, videos, date and place of birth, names of parent and siblings, dates of attendance, whether the student graduated and the date of graduation, awards received, participation in extracurricular activities, weight and height of interscholastic athletic team members, schools attended within the District,

and contact information for a student's parents/guardians.

The primary purpose of directory information is to allow the Warwick School District to include this type of information from your child's education records in certain school publications. Examples include, but are not limited to:

- A playbill, showing your student's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists
- Graduation programs
- Photographs or video clips found on the district website, district social media accounts, or other media outlets
- Sports activity sheets, such as for wrestling, showing weight and height of team members
- Businesses that manufacture class rings

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. [Note: These laws are Section 9528 of the ESEA (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).] Parent can choose to not share this information through the "Military Opt Out" field found on Warwick's annual registration form.

The complete District policy on student records and other policies are available for review at the District Office and on the District website www.warwicksd.org in accordance with the District's Public Records Policy. You may contact Dr. April Hershey, Superintendent of Schools, at (717)626-3734, ext. 3715 if you have any questions regarding the policy or administrative guidelines on student records.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.