

The Family Educational Rights and Privacy Act (FERPA) and Directory Information

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 of the day the District receives a request for access:

Parents or eligible students should submit to the school principal or Director of Special Education a written request that identifies the record(s) they wish to inspect. The District 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 District to amend their child’s or their education record should write the school principal or Director of Special Education, clearly identify the part of the record they want changed, and specify why it should be changed. If the District official 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 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 consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

A. 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 District Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another District 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.

B. FERPA also authorizes the release of “directory information” without prior consent, unless the parent/guardian or eligible student (age 18 or older) requests, in writing, that directory information not be disclosed. The District considers the following information “directory information”:

- *Student’s name
- *Student’s address
- *Telephone number (s)
- *Email address(es)
- *Student’s date and place of birth
- *Major field of study
- *Participation in officially recognized activities and sports
- *Weight and height of members of athletic teams
- *Dates of attendance (“from and to” dates of enrollment)
- *Degrees, honors, and awards received
- *Date of graduation *Grade level
- *The most recent educational agency or institution attended.

Photographs and video/digital images are also considered to be “directory information” by the District. Videotapes, digital movies and/or photographs may be shared with the public through, for example, public media outlets, the District newsletters, reports, website and other District communications, unless the parent/guardian or eligible student requests, in writing, that videotapes, digital movies or photographs of the student not be publicized.

About disclosure of directory information to military recruiters and institutions of higher education:

Two federal laws require the District to provide military recruiters and institutions of higher education, upon request, with three directory information categories of its secondary students: names, addresses and telephone numbers, unless parents or eligible students have advised the District that they do not want this information disclosed without their prior written consent.

If you do not want directory information released:

Those parents/guardians or eligible students who do not want directory information released and/or do not want videotapes, digital movies, images and/or photographs published and/or do not want the limited release of directory information to military recruiters and/or institutions of higher education, **must notify the District Office in writing by October 1 of the school year**

regarding the desired limitations on release of directory information. The address for the 125 Middletown Road, Waterford, New York 12188.

c. The District, as authorized by FERPA, discloses personally identifiable student information without consent to other schools, school systems or institutions of postsecondary education in which a student seeks or intends to enroll or that are providing services to the student, upon receiving a request from any such institution. Parents/guardians or eligible students can receive a copy of all information disclosed upon request.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Waterford-Halfmoon Union Free School 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