

Family Educational Rights and Privacy Act (FERPA)

Parents have certain rights with respect to student educational records pursuant to the Family Educational Rights and Privacy Act (FERPA). These rights transfer to the student when the student becomes an “Eligible Student” upon reaching the age of 18 or attending a school beyond the high school level. The rights of Parents and/or Eligible Students are summarized as follows:

- The right to inspect and review student educational records maintained by the school. A Parent or Eligible Student seeking to inspect and review educational records should submit a written request to the Principal of the school in which the student is enrolled or last attended.
- An opportunity to seek amendment of educational records alleged to be inaccurate, misleading, or otherwise in violation of the student’s privacy rights. In the event a parent/guardian wishes to challenge a student’s educational record, he or she can review Policy JR on the school district’s website. They also may request a hearing or a copy of the procedures for conducting the hearing by contacting the Director for Administration and Policy at 912-283-8656.
- The right to notice of what information the school has designated as directory information and a reasonable time after such notice to inform the school that the designated information should not be released without prior consent. See the following section for information on the release of directory information.
- The right to consent to the disclosure of personally identifiable information contained in student educational records (other than directory information), except to the extent FERPA authorizes disclosure without consent. Disclosures for which the consent of the Parent or Eligible Student is not required include the following:
 - A. to School Officials with a legitimate educational interest. A school official is any school employee or any contractor, consultant, volunteer, or other party to whom school system services or functions that would otherwise be performed by school employees has been outsourced or assigned. A legitimate educational interest is a need that arises out of a school official’s role in providing educational services, including instruction, evaluation, therapy, etc., to a student, or out of the performance of administrative, supervisory, clerical, or other responsibilities prescribed by the school system;
 - B. to other school systems in which the student seeks or intends to enroll as long as the disclosure is for purposes related to the student’s enrollment or transfer;
 - C. to specified officials for audit or evaluation purposes;
 - D. in connection with the student’s application for financial aid;
 - E. to state and local officials pursuant to State law;
 - F. to organizations conducting studies on behalf of the school;

- G. to accrediting organizations;
- H. to parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986;
- I. to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other persons; and
- J. in compliance with judicial order or pursuant to any lawfully issued subpoena when the educational agency makes reasonable effort to notify the Parent or Eligible Student in advance of the compliance. In limited circumstances, an order or subpoena may require the District to disclose information without notifying the Parent or Eligible Student.

• A Parent or Eligible Student who believes his or her rights under FERPA may have been violated may file a complaint by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA occurred. Complaints should be addressed as follows:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920**

Privacy: Parents and Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment affords Parents and Eligible Students rights and protections regarding instructional materials used in educational programs, surveys administered to students, and the conduct of certain physical examinations. The rights and protections established by the PPRA include:

- **Instructional Materials.** The Parent or Eligible Student has the right to inspect any instructional material used as part of the educational curriculum for the student; and
- **Surveys.** The Parent or Eligible Student has the right to inspect any survey created by a third party, prior to the administration or distribution of the survey and the right to opt the student out of participation in any such survey. In addition, before a student may be required to submit to a survey revealing “Protected Information,” the written consent of the Parent or the consent of the Eligible Student is required. Finally, a minor student may not volunteer to submit to a survey revealing “Protected Information” without providing the Parent of the student with prior written notice of the administration of the survey and an opportunity to opt out of the survey. “Protected Information” is information in the following categories:
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental and psychological problems of the student or the student’s family;
 3. Sex behavior and attitudes;
 4. Illegal, anti-social, self-incriminating, and demeaning behavior;
 5. Critical appraisals of other individuals with whom respondents have close family relationships;
 6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
 8. Religious practices, affiliations, or beliefs of the student or parents.
- **Physical Examinations.** Parents have the right to notice of any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law.

A Parent or Eligible Student may contact the Director for Administration and Policy at 912-283-8656 to obtain a copy of Ware County School Systems’ policies and procedures developed pursuant to the PPRA.

A Parent or Eligible Student who believes his or her rights under PPRA may have been violated may file a complaint by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.