



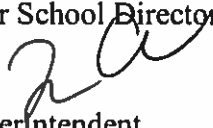
STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

OFFICE OF STRATEGY, INNOVATION AND PERFORMANCE

ANNUAL MEMO

September 4, 2015

TO: Principals (All)  
Public Charter School Directors

FROM: Tammi Chun   
Assistant Superintendent

SUBJECT: **Annual Notification of Privacy Rights**

**Action is required.** The annual notification procedures have been revised from the memo dated July 10, 2014.

Federal laws require the Hawaii Department of Education (DOE) to annually notify parents, guardians, and eligible students (18 years or older) about privacy rights under the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). Under FERPA, the DOE must also designate what student information it has determined as directory information and how a request can be made to withhold such information (i.e., opt out) from being disclosed, unless FERPA guidelines allow disclosure without consent. Additionally, in accordance with the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), the DOE is required to provide designated military recruitment personnel (in Hawaii, the military's Inter-Service Recruitment Council, or IRC) the name, address, and telephone number (including unlisted numbers) of secondary school students (grades 7-12).

**NOTIFICATION REQUIREMENTS – Notification Deadline: Monday, November 2, 2015**

When a student is enrolled at the beginning of or after the start of the school year, the parents, guardians and/or eligible students (18 years or older) must be notified of their privacy rights and opt out provisions related to the release of directory information and the release of information to military recruiters.

In prior years, HIDOE has provided opt out forms related to Directory Information (“Non-Disclosure of Directory Information”) and releasing information to Military Recruiters (“Opt out form for secondary student’s name, address, and telephone listing to military recruiters). HIDOE schools may continue to use the military recruiter’s request for information opt out form, however HIDOE has been advised to stop using the directory information opt out. Instead, parents, guardians, and eligible students wishing to opt out of disclosing directory information may make their request in writing to

the school per the Notice for Directory Information which may be found at HIDOE's Student Privacy page at <http://bit.ly/FERPAHI>. Schools may use a state template found at the address above or create their own consent form to allow the school to use a student's image, voice or student work in school publications and websites, or schools may use language similar to the following statement in newsletters and on the schools' website to notify parents, guardians, and eligible students of the consent procedures:

"From time to time we like to publish photos and videos of our students participating in school activities. We publish these photos and videos, and sometimes student work, on our website and in our newsletter, as well as in other school and district publications. If you do not wish us to publish these images, please submit a signed and dated written request to the school by [insert date]."

Opt out forms and consent forms approved by HIDOE and related policies and instructions are also available on the Student Privacy page at <http://bit.ly/FERPAHI>.

The brochure and bookmark sent out in prior years have been replaced by:

- An overview document: *Quick Guide to Student Information Privacy* (Attachment A)
- A more complete document: *Parent Notification and Guide to Student Information Privacy in Hawaii Public Schools* (Attachment B).

Copies of the *Quick Guide* will be sent to schools for distribution to all students, and the *Parent Notification and Guide to Student Information Privacy in Hawaii Public Schools* will be available online at HIDOE's Student Privacy page for reference. However, schools should maintain a small number of hard copies of the full *Parent Notification and Guide to Student Information Privacy in Hawaii Public Schools* so that any parent requesting the document in person can receive it immediately. Schools should have received copies of the privacy rights poster prior to the start of school, and may request additional copies, while supplies last, from the Data Governance and Analysis Branch at [ferpa@notes.k12.hi.us](mailto:ferpa@notes.k12.hi.us).

#### **Actions:**

To ensure that annual notification of FERPA, PPRA, and other student information privacy related policies are provided to parents, guardians, and eligible students, all schools must:

1. Replace the list of privacy rights with a hyperlink on the front page of your school website that leads to the HIDOE Student Privacy web page <http://bit.ly/FERPAHI>. Please label the link "Student Information Privacy."
2. Display the Privacy Rights poster in clearly visible locations in your administrative offices or other public places within and around your schools (e.g., the library and/or student center). Posters have been shipped to schools and complex area offices from the Reprographics Department. Posters are also available online at <http://bit.ly/hidoeprivacyposter>.

3. Send home *Quick Guide to Student Information Privacy* (Attachment A), and include a copy of the *Quick Guide* in new student enrollment packets. Both of these documents are also available online at <http://bit.ly/FERPAHI>.
4. Remove all references of the Directory Information opt out form from your publications and websites, and announce the procedural changes explained in the above Notification Requirements to your staff.

In addition, schools are encouraged to announce this information at public meetings, including but not limited to School Community Councils.

**WRITTEN CONFIRMATION OF DISTRIBUTION – Confirmation Deadline: Friday, November 6, 2015**

**Action:**

- Principal emails a copy of the “Student Information Privacy Notification Checklist” (Attachment C) to the Complex Area Superintendent (CAS) and copy to [ferpa@notes.k12.hi.us](mailto:ferpa@notes.k12.hi.us).
- Schools are encouraged to contact Shelly Larson, Data Governance and Analysis Branch, at 784-6050 or via Lotus Notes, with questions and needs for assistance.

Information regarding school procedures for processing non-disclosure requests in the SIS (student information system) is provided in the “eSIS Non-Disclosure Instructions” attached to this document (Attachment D). For further assistance with eSIS, please contact the Customer Service Desk Unit at 564-6000.

TC:DM:md

Attachments: Attachment A: Quick Guide to Student Information Privacy  
Attachment B: Parent Notification and Guide to Student Information Privacy in Hawaii Public Schools  
Attachment C: Student Information Privacy Notification Checklist 2015-2016  
Attachment D: eSIS Non-Disclosure Instructions 2015-2016

c: Superintendent  
Deputy Superintendent  
Assistant Superintendents  
Complex Area Superintendents  
Charter School Administrative Office  
Superintendent's Office Directors  
Data Governance and Analysis Branch