

Notification of Rights Under FERPA for Elementary Institutions

The Family Education Rights and Privacy Act (FERPA) gives 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 school district receives a request for access.**
 - Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect.
 - The principal 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 or misleading.**
 - Parents or eligible students may ask the David Ellis Academy (DEA) to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
 - If the school district decides not to amend the record as requested by the parent or eligible student, the school 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 consent 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 with legitimate education interests.
 - A school official is a person employed by the school 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 school board; a person or company with whom the school 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 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.
 - Upon request, the school district discloses education records without consent to officials of another school in which a student seeks or intends to enroll. *[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 school district to comply with the requirements of FERPA.

- The name and address of the Office that administers FERPA is: Family Policy Compliance, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

(5) The *Family Educational Rights and Privacy Act (FERPA)*, a Federal law, requires that David Ellis Academy District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records.

- However, David Ellis Academy may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow DEA to include this type of information from your child's education records in certain school publications.
 - Examples include:
 - A playbill, showing your student's role in a drama production;
 - The annual yearbook;
 - Honor roll or other recognition lists;
 - Graduation programs; and
 - Sports activity sheets showing weight and height of team members.
- **Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent.**
 - Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.
 - In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act* of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - 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.

If you do not want David Ellis Academy to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by Monday, December 1, 2015.

DEA has designated the following information as directory information:

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| ■ Student's name | ■ Participation in officially recognized activities and sports |
| ■ Address | ■ Dates of attendance |
| ■ Telephone listing | ■ Weight and height of members of athletic teams |
| ■ Electronic mail address | ■ Degrees, honors, and awards received |
| ■ Photograph | ■ The most recent educational agency or institution attended |
| ■ Date and place of birth | ■ Grade level |
| ■ Major field of study | |