

Notification of Rights and Designation of Directory Information Under FERPA for Elementary and Secondary Schools

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 after the day the West Clermont Local School District ("School") receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The principal, or his/her designee, 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 School 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. 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. For a further explanation, see item 5 below.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School 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

5. FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school

officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. A school official 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. (§ 99.31(a)(1)).
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2)).
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35).
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4)).

- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system’s ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5)).
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6)).
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7)).
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8)).
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9)).
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10)).
- Information the school has designated as “directory information” under § 99.37. (§ 99.31(a)(11)). Specifically, the School may disclose appropriately designated “directory information” without written consent, unless you have advised the School to the contrary in accordance with School procedures. The primary purpose of directory information is to allow the School 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, such as for wrestling, 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 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.

If you do not want School to disclose directory information from your child’s education records without your prior written consent, you must notify the Superintendent’s office in writing by 09/09/2019.

Attention:
Mrs. Kelly Sininger
Treasurer
West Clermont Local School District
4350 Aicholtz Road, Suite 220
Cincinnati, Ohio
45255

The School has designated the following information as directory information:

- Student’s name
- Student’s address
- Student’s telephone number
- Student’s date and place of birth
- Major field of study
- Participation in officially recognized activities and sports
- Student’s weight and height, if a member of an athletic team
- Dates of attendance (“from and to” dates of enrollment”)
- Date of graduation
- Awards received

If declined, I understand:

- My student will not be included in the school yearbook.
- My student will not be included in group photos, play and concert programs, sports rosters and honor roll lists.
- Information on my student will not be released to school vendors (such as class ring vendors).
- Information on my student will not be released to secondary training institutions (ie: to colleges for scholarships).
- My student may still appear in publicity and media efforts unless noted in the Media and Publicity Exclusion section.
- West Clermont Local School District cannot decline to provide recruiters the above information under the No Child Left Behind Act unless prior written consent is requested by the parent.

