

**MOUNT PLEASANT COTTAGE SCHOOL UNION FREE SCHOOL DISTRICT  
NOTIFICATION OF RIGHTS UNDER FERPA**

**Rights**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over eighteen (18) years of age ("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 forty-five (45) days of the day the School receives a request for access.

Parents or eligible students should submit to the School Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school 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 School to amend a record should write the School Principal (or appropriate school official), 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 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 (see below for examples of such exceptions).
- 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 are:

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

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**Disclosures that Elementary and Secondary Schools May Make Without Consent**

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure is:

- 1) 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" is a person employed by or under contract with the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include contractors, consultants, volunteers or other parties 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. "School official" also includes 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.*

- 2) 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.

*[Optional: Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.)]*

- 3) 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 in the parent or eligible student's state (SEA). Disclosures under this provision may be made 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.
- 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.

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- 5) 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.
- 6) 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.
- 7) To accrediting organizations to carry out their accrediting functions.
- 8) To parents of an eligible student if the student is a dependent for IRS tax purposes.
- 9) Based on a subpoena in which a court orders, for good cause shown, that the disclosure should not be revealed. Disclosures may also be made without notification to comply with a judicial order or lawfully issued subpoena, in cases involving child abuse or neglect or dependency matters.
- 10) To an agency caseworker or other representative of a state or local child welfare agency, who is legally responsible for the care and protection of the student (foster care).
- 11) To appropriate officials in connection with a health or safety emergency.
- 12) Information the school has designated as "directory information."

*(NOTE: A District may wish to include its directory information public notice here within the required annual notification of rights under FERPA. Refer to Form #7241F.1 -- Notice of Directory Information/Military Recruiter Access.)*

*This form has been adapted from the Model Notification of Rights under FERPA for Elementary and Secondary Schools from the U.S. Department of Education Family Policy Compliance Office website.*