

**West Geauga Local School District**  
**Family Educational Rights and Privacy Act (FERPA)**  
**Annual Notice of Rights under FERPA (EDUCATION RECORDS)**

The **Family Educational Rights and Privacy Act (FERPA)** is a Federal law that protects the privacy of student **education records**. Parents and students have specific, protected rights regarding the release of such records, and FERPA requires that school districts adhere strictly to these guidelines. Therefore, it is important to understand how **education records** are defined under FERPA.

**Education records** are defined under FERPA as:

*any records that contain personally identifiable information that directly relates to the student and are either maintained by the school district or by a party or organization acting on behalf of the school district.*

### **Two Types of Education Records**

There are two types of education records as defined under FERPA, directory information and non-directory information. FERPA provides different disclosure protection for each type of education record.

#### **Directory Information**

FERPA defines certain information in a student's education record as directory information. Directory information may include information such as the student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance.

FERPA allows schools to disclose, without consent, a student's directory information to certain parties or under certain conditions. However, the schools must tell parents or "eligible students" (students over 18 years of age or attending a post-secondary school) about directory information and allow parents/ "eligible students" a reasonable amount of time to request that the school not disclose this directory information.

More information regarding directory information is provided on the ANNUAL NOTICE FOR DIRECTORY INFORMATION form included in this packet. This form also discloses what student information the West Geauga Local School District has designated as directory information.

#### **Non-directory Information**

Non-directory information is any educational record not considered directory information. Non-directory information may include such information as student identification numbers, transcripts, report cards, test scores, and grades.

Non-directory information, in most cases, may not be released to anyone without the prior written consent of the parent /"eligible student". Also, school officials can access non-directory information only if they have a legitimate educational need to do so.

## Rights under FERPA

FERPA provides parents and “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 of the district's receipt of written request.** Parents or eligible students should submit to the Director of Pupil Personnel (see below) a written request that identifies the record(s) they wish to inspect. The Director of Pupil Personnel 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 believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.** Parents or eligible students who wish to ask the district to amend a record should write the Director of Pupil Personnel (see below), clearly identify the part of the record they want changed, and specify why it should be changed. If the district decides not to amend the record, the 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 privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.** Parents may request that the district, with certain exceptions, obtain their written consent prior to the disclosure of student information. One exception is disclosure to *school officials* with legitimate educational interests. A school official is: a person employed by the School 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 district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official. 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.

Other exceptions are when school districts are complying with a judicial order or subpoena, where the health and safety of the student nor other students is at issue, or when requested by state and local authorities within a juvenile justice system.

Upon request and without parent consent, the district discloses education records, including special education records and disciplinary records, to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [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.]

**(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:

*Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520*

Further information and guidance about parent and student rights under FERPA can be found at FPCO's Website: <http://www2.ed.gov/policy/gen/guid/fpc/index.html>.

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