

Release of Student Directory Information & FERPA

NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ("FERPA")

The Family Educational Rights and Privacy Act ("FERPA") affords parents and students over 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 45 days of the day the School 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 School 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, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who ask the School to amend a record should write to 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 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.

One exception, which permits disclosure without consent, 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 School has outsourced services or functions it would otherwise use its own employees to perform (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 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.

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

4. The right to file a complaint with the United States 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
United States Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

The District shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English. The District shall also provide for the need to effectively notify parents or eligible students identified as disabled.

For additional information pertaining to the protection and privacy of pupil records, see Westonka Public Schools Policy No. 5125 on the website: About Us>School Board>Policies>5000 Students.

REQUEST TO DENY PUBLIC ACCESS TO DIRECTORY INFORMATION

FERPA and the Minnesota Government Data Practices Act ("MGDPA") require that the School District, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from a student's education records. The School District, however, may disclose appropriately designated "directory information" without written consent, unless the District has been advised to the contrary by a parent or eligible student in accordance with the **ANNUAL OPT-OUT OPTIONS FORM**.

- A. Student Data/Directory Information:** Directory information is information that is generally not considered harmful or an invasion of privacy if released. Directory information is public data under federal and state law and can be disclosed to outside organizations and individuals without prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or public yearbooks.

The School District has designated the following information as directory information:

- Student's name;
 - Photograph;
 - Date and place of birth;
 - Major field of study;
 - Dates of attendance;
 - Grade level;
 - Enrollment status (full-time or part-time);
 - Participation in officially recognized activities and sports;
 - Weight and height of members of athletic teams;
 - Degrees, honors and awards received; and
 - The most recent educational agency or institution attended.
- It also includes the name and postal address of the student's parent(s).

FERPA (Annual Opt-Out Options Form)

The primary purpose of designating certain data as directory information is to allow the School District to include such information in certain school publications. Examples include, but are not limited to:

- A playbill, showing the student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs;
- Sports activity sheets, such as for wrestling, showing weight and height of team members; and
- Marketing material, including advertising websites, e-newsletters and social media sites.

If a parent or eligible student does not want the School District to disclose directory information from a student's education records without prior written consent, they must notify the District by returning the **ANNUAL OPT-OUT OPTIONS FORM** printed below each school year.

- B. Armed Services Data**—Grades 11 and 12 only: In addition, federal and state laws require school districts 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 or students have advised the school district that they do not want their student's information disclosed without their prior written consent.

Similarly, in accordance with Minnesota Statutes Section 13.32, subdivision 5a, schools must release to military recruiting officers the names, addresses and home telephone numbers of students in grades 11 and 12, **UNLESS** the parent/guardian or student has checked "2" in the **ANNUAL OPT-OUT OPTIONS FORM** and has signed, dated and returned the form by **Friday, Sept. 8**.



C. ANNUAL OPT-OUT OPTIONS FORM

If you wish to allow all of the student data as defined in "A" and "B" to be published/distributed, you do not need to return this form.

Options 1, 2, and/or 3: Place a check in the applicable box(es) and provide a signature at the bottom before returning this form

1. Deny student data as defined in "B" from distribution to the armed services: ☐
2. Deny student data as defined in "A" from publication or distribution: ☐
3. Deny only the following student data as defined in "A" and/or "B" from publication or distribution: ☐
[PLEASE LIST THE SPECIFIC DATA FROM SECTION "A" and/or "B" THAT YOU DO NOT WANT RELEASED]

If you checked any of the boxes under options 1, 2, or 3, you **MUST** complete and sign section "D" below and return this completed form to the Westonka Educational Service Center by Friday, Sept. 8. Doing so will **EXCLUDE** student data from being published or released. If you have any questions, please contact Emily Labuz at (952) 491-8007.

- D. SIGNATURES:** If you opt to deny student data from publication and release, this form **MUST** be signed by the parent/guardian or adult student (18 years-of-age or older, with the exception of Option 1).

Student Name _____

Grade _____

School _____

Parent/legal guardian of minor student, Date _____

Student's signature (if 18 years or older, unless Option 1) _____

NOTE: This request remains in effect for the **current school year only**. This completed form must be returned to Emily Labuz (952) 491-8007 at the Educational Service Center, 5901 Sunnyfield Road E, Minnetrista, by Friday, Sept. 8.