

**NOTIFICATION OF RIGHTS UNDER FERPA
FOR ELEMENTARY AND SECONDARY INSTITUTIONS
AND
NOTICE FOR DIRECTORY INFORMATION**

Notification of Rights Under FERPA

A. The Family Educational Rights and Privacy Act (FERPA) affords “parents” and eligible students”) certain rights with respect to the student’s education records. For the purposes of this Notification of Rights, a “parent” is defined as a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. An “eligible student” is defined as a student who has reached 18 years of age or is attending a postsecondary institution.

These rights are:

- (1) The right to inspect and review the student’s education records within 45 days of the day the DeKalb County 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, 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 school principal, 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 as requested by the parent or eligible student, 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 provide written consent before the privacy of personally identifiable information (PII) in the student’s education records is disclosed, except to the extent that FERPA authorizes disclosure without consent.
- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the 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 20202-8520

B. The Georgia Student Data Privacy, Accessibility, and Transparency Act affords parents and eligible students the right to file a complaint with their local school system regarding a possible violation of rights under O.C.G.A. 20-2-667 or under other federal or state student privacy and security laws.

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C. 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. The following exceptions are times when a school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student -

1. To other school officials, including teachers within the District whom the school determines to have a legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school or District has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1)-(a)(1)(i)(B)(2) are met. (§99.31 (a)(1))
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, subject to the requirements of §99.34. (§99.31(a)(2))
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, 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)
4. 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))
5. 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))
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. (§99.31(a)(6))
 7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
 8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
 9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
 10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
 11. Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

Release of Directory Information

FERPA requires that the District, with certain exceptions, obtain the written consent of a parent, guardian, or eligible student prior to the disclosure of personally identifiable information from a child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless the parent, guardian, or eligible student has advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from a child's education records in certain school publications. Examples include:

A playbill, showing a student's role in a drama production;
The annual yearbook;
Honor roll or other recognition lists;
Information posted on the school's or the District's website;
Graduation programs; and
Sports activity sheets, such as for wrestling, showing weight and height of team members.

The District has designated the following information as directory information: student's name, address, and telephone listing; e-mail address, date and place of birth; dates of attendance; grade level; major field of study; photograph; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received. 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 the prior written consent of a parent, guardian, or eligible student. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, federal law requires the District to provide military recruiters, upon request, with the following

information—names, addresses and telephone listings—unless the parent, guardian, or eligible student informed the District that they do not want their student’s information disclosed without their prior written consent. Such notification should be sent to the student’s principal.