

## **Notification of Rights under FERPA**

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 Noblesville Schools receives a request for access.

Parents or eligible students who wish to inspect and review education records should write the school principal, clearly identifying the records they want to inspect and review. Noblesville Schools will contact the parent or eligible student when the education records are ready for inspection and review, pursuant to FERPA and special education regulations.

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 Noblesville Schools 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 prior consent.
  - a) FERPA authorizes disclosure without consent if the disclosure is 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 or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of 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 a technology service provider, attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official 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 responsibilities.
  - b) Upon request, Noblesville Schools 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 purposes of the student's enrollment or transfer.

- c) FERPA authorizes disclosure without consent if the information is designated as "directory information." "Directory information" is information contained in an educational record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information shall not be provided to any organization for political or profit-making purposes. Noblesville Schools has designated these types of PII as "directory information":
1. Student's name
  2. Student's age
  3. Student's address and phone number
  4. Student's date and place of birth
  5. Major field of study
  6. Grade level, school, class assignment, and teacher
  7. Earned or received awards (including Honor Roll)
  8. Participation in officially recognized activities and sports, and weight and height of members of athletic teams
  9. Dates of attendance and date of graduation
  10. A school photograph
  11. Student work for display at school at discretion of the teacher
  12. Videotape of children participating in school activities
  13. Photograph of student taken during school activities to be used on Noblesville Schools' or Noblesville School PTO website(s) or social media accounts, publications (such as newsletter or brochures), or media coverage of school day activities (such as newspapers or television).
  14. Student ID number if the ID number cannot be used to gain access to educational records except when used in conjunction with one or more factors that authenticate the user's identity

Parents and eligible students have the right to request the withholding of this "directory information." A form to withhold this information is available on the school corporation website ("FERPA Opt Out Form"). This form must be received by your child's school within 20 business days of the start of school or within 20 business days of enrolling your student in order to withhold information.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Noblesville Schools to comply with the requirements of FERPA.

## FERPA Opt Out Form

School Policy 8330 and Student Handbooks define “directory information” which Noblesville Schools is permitted to release without specific parental permission to reliable third parties. Under the Family Educational Rights and Privacy Act (FERPA), parents/legal guardians of students have the right to request the withholding of this “directory information.” Each student must have their own Opt Out Form. The Opt Out Form remains valid for the current school year; a new form must be signed for each school year. This form must be received by your child’s school within 20 business days of the start of school or within 20 business days of enrolling your student in order to withhold information.

Student Name \_\_\_\_\_

Student Grade \_\_\_\_\_

School \_\_\_\_\_

I do not wish Noblesville Schools to release any directory information for my child. I understand this means that my child’s personally identifiable information will not appear without my consent in any school directory, yearbook, social media accounts, media coverage, brochures/pamphlets for graduation or special events, sports team rosters, published honor roll information, etc.

Parent/Guardian Name \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_