

## **Annual Notification of Rights under FERPA for Elementary and Secondary Schools in Harrison County School District**

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 the day the any Harrison County school receives a request for access.
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.
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 consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is the Family Policy Compliance Office and is located at the following address: U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202.
5. The right to be informed about FERPA rights.

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. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

•To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(7) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))

•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))

•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 (SEA) in the parent or eligible student's State. 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, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)

•In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as 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))

•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))

•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, if applicable requirements are met. (§ 99.31(a)(6))

•To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))

•To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))

•To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))

•To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))

•Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))

•To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))

•To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

For Harrison County Policies related to FERPA please visit the website at [www.harrison.k12.ms.us](http://www.harrison.k12.ms.us) click on "For Parents" on the menu bar and then click on "FERPA."

**Family Educational Rights and Privacy Act (FERPA)  
Annual Notice for Directory Information for Harrison County Schools**

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Harrison County School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the school district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the school and/or district to include information from your child's education records in certain school publications. Examples include:

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

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 a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want the school or district to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify your child's school in writing by September 3, 2020 OR two weeks after notification given to parents. Harrison County School District has designated the following information as directory information:

- The Student's name, address and telephone number;
- The names of the student's parents;
- The student's date and place of birth;
- The student's major field of study and class designation (i.e., first grade, tenth grade, etc.)
- The student's extracurricular participation;
- The student's achievement awards or honors;
- The student's weight and height if a member of an athletic team;
- The student's photograph;
- The student's electronic mail address;
- The student's date(s) of attendance; and
- The most recent educational institution the student attended prior to the student enrolling this school district.

After the parent or eligible student has been notified, he/she will have two weeks to advise the school district in writing (a letter to the school principal that will be forwarded to the superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about the student. At the end of the two-week period, each student's record will be appropriately marked by the record custodian to indicate the items the district will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student. For Harrison County Policies related to FERPA please visit the website at [www.harrison.k12.ms.us](http://www.harrison.k12.ms.us) click on "For Parents" on the menu bar and then click on "FERPA."