

STUDENT RECORDS

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. The procedures for ensuring the confidentiality of student records shall be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

The Superintendent of Schools shall be responsible for ensuring that all requirements under law and the Commissioner's regulations are carried out by the district.

Annual Notification

At the beginning of each school year, the district will publish a notification that informs parents, guardians and eligible students currently in attendance of their rights under FERPA and the procedures for exercising those rights. This notice may be published in a newspaper, handbook or other school bulletin or publication. This notice will also be provided to parents, guardians, and eligible students who enroll during the school year.

The notice will include a statement that the parent/guardian or eligible student has right to:

1. inspect and review the student's education records;
2. request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. file a complaint with the United States Department of Education alleging failure of the district to comply with FERPA and its regulations.

In addition, the annual notice will inform parents/guardians and eligible students:

1. that it is the district's policy to disclose personally identifiable information from student records, without consent, to other school officials within the district whom the district has determined to have legitimate educational interests. For purposes of this policy, a school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel; a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official performing his or her tasks. A school official has a legitimate educational interest if the official needs to review a student record in order to fulfill her or her professional responsibilities.
2. that, upon request, the district will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.
3. that, upon request, the district will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning **unless the parents or eligible student exercise their right to prohibit release of the information without prior written consent.**
4. of the procedure for exercising the right to inspect, review and request amendment of student records.

The district will provide translations of this notice, where necessary, to parents, guardians and eligible students in their native language or dominant mode of communication.

Cross-ref: 1120, School District Records
4321, Programs for Students with Disabilities Under IDEA and Part 89
5550, Student Privacy

Ref: Family Educational Rights and Privacy Act, 20 USC 1232g; 34 CFR Part 99
No Child Left Behind Act, 20 USC §7908
10 USC §503 as amended by §544 of the National Defense Reauthorization Act for FY 2002
Education Law § 225
Public Officers Law §87(2) (a)
Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)
8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for Use

by School Districts and BOCES

Adoption date: June 9, 2009