



CITY SCHOOL DISTRICT OF ALBANY STUDENT RECORDS (FERPA)

Pursuant to applicable Federal and State law and regulations, the Board of Education of the City School District of Albany hereby adopts the following policies and procedures with respect to the confidentiality of, and access to, educational records.

1. **Annual Notice.** At the beginning of each school year, the district shall publish in the local newspaper a notice to parents, persons in parental relation, and students 18 years of age or older (“eligible students”) currently in attendance, of their rights under FERPA and the procedures for pursuing these rights. The district shall also send home a bulletin listing these rights and procedures, which shall also be included with a packet of materials provided to a parent, person in parental relation, or eligible student when a student enrolls during the school year.

The notice shall include a statement that the parent, person in parental relation, or eligible student has the right to:

- Inspect and review the student’s educational records;
- Be assured that the intent of the district is to limit the disclosure of personally identifiable information contained in a student’s educational record pursuant to applicable Federal and State statutes and regulations except:
 - (a) by prior written consent of the student’s parent or person in parental relation or the eligible student;
 - (b) as directory information, as defined herein; or
 - (c) under certain limited circumstances, as permitted by FERPA.
- Request through completion of a designated form that the district not disclose the student’s directory information, as defined herein;
- Request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights;
- Obtain the procedure for exercising the right to inspect, review, and request amendment of student records;
- File a complaint with the U.S. Department of Education alleging failure of the district to comply with FERPA and its regulations; and
- Obtain a copy of this policy.

Such notice shall also advise parents, persons in parental relation, and eligible students of the board’s policy to disclose educational records to school officials with legitimate educational interests. For the purpose of this policy, such individuals shall include: a person employed by the district as an administrator, supervisor, teacher, instructor, or support staff member (including health or medical staff); a member of the Board of Education; a person with whom the district has contracted to perform a special task related to the student’s educational program (e.g., medical or

instructional consultant, therapist, or legal counsel) or a person assisting another school official in performing his or her official duties.

Such notice shall be provided in the dominant language of the parent or person in parental relation, or other mode of communication, wherever possible.

Parental rights under this policy shall be extended to both parents unless such rights have been specifically revoked by a court order, statute or other legally binding document.

2. ***Confidentiality of Educational Records.*** The district shall obtain written consent from the parent, person in parental relation, or eligible student prior to disclosing or releasing personally identifiable information other than directory information, as defined herein, to anyone other than school officials with legitimate educational interests, as defined herein, or to other appropriately authorized officials as allowed by law.

Such information will only be transferred to a third party on the condition that such party shall not permit any other party to have further access to such information without the written consent of the parent, person in parental relation, or eligible student.

3. ***Release of Directory Information.*** For the purpose of this policy the term “directory information” relating to a student includes the following: the student’s name, address, telephone listing.

The district may disclose any of these items without prior written consent of a parent, person in parental relation or eligible student unless notified to the contrary, in writing, by the parent or eligible student on or before September 15th of the school year. The notice provided to parents, persons in parental relation, and eligible students shall include a form to indicate that such directory information is not to be released. Said form may be completed by the parent, person in parental relation, or eligible student and returned to the child’s principal or guidance counselor. The policy with respect to the release of student directory information applies equally to military recruiters, the media, colleges and universities, and prospective employers.

Consistent with applicable Federal and State law, the district shall, upon a request made by military recruiters for military recruiting purposes, provide access to secondary school student names, addresses, and telephone listings. Such directory information collected and compiled shall be confidential, and a person who has access to such information may not disclose such information except for the express purpose of military recruitment.

The district shall not release such directory information to military recruiters if, after notice, the student, parent of the student, or person in parental relation has submitted a request to the district that the student’s information not be released for such a purpose without prior written consent.

4. ***The Right to Inspect and Review Records.*** A request from a parent or eligible student to review a record shall be granted without unnecessary delay and not later than 45 days after the request is made, and in any case involving a student with a disability, prior to a meeting regarding the student's IEP or an impartial hearing pertaining to such student.

The right of a parent or eligible student to inspect that student's educational records shall include the right to:

- A response from appropriate district personnel to reasonable requests for explanations and interpretations of the record;
- Request copies of the records if the failure to provide them would effectively prevent the parent from exercising the right to inspect and review such records; and
- Have a representative of the parent inspect and review such records.

The district retains the right to charge twenty-five cents (25¢) per page for copies of such records unless the imposition of such fee effectively prevents the parents or eligible student from exercising the right to inspect and review the records requested.

The board shall receive information monthly as to specific requests from parents, persons in parental relation, or eligible students in regard to the request to amend educational records.

5. ***Records Management Officer.*** The board designates the district clerk to serve as Records Management Officer for the district, and to:

- Develop and maintain a list of employees, identified by name and title, who have access to student records;
- With respect to each student, maintain a written Access Log of parties, (except the parents and authorized employees as defined herein), who have requested or obtained access to an educational record, collected, maintained or used, including the name of the party, the date access was given, and the purpose for which the party was authorized to access the records;
- Establish a system to ensure that any record including information on more than one child provides only the information relating to the child of the parent or person in parental relation requesting such information;
- Provide to parents or persons in parental relation, on request, a list of the types and locations of educational records that the school district maintains, collects or uses pertaining to their child;
- Ensure the confidentiality of any personally identifiable information at all stages including its collection, storage, disclosure and destruction;
- Schedule training for staff necessary to ensure maintenance of the confidentiality of records pursuant to Federal and State law and regulation;

- Inform parents or persons in parental relation when personally identifiable information is no longer needed to provide educational services to the child. At the request of the parent or person in parental relation, any such information must be destroyed. However, a permanent record of the student’s name, address, phone number, his or her grades, attendance record, class attended, grade level completed, and year completed may be maintained without limitation; and

- Maintain records documenting compliance with all applicable laws and regulations for a period of at least five (5) years.

6. ***The Right to Request an Amendment to Educational Records.*** The Board of Education designates the superintendent of schools, or his/her designee, to review and act on, as appropriate, parental requests to amend in an educational record that the parent believes contains information which is inaccurate, misleading or constitutes an invasion of privacy. If such a request is denied, the superintendent of schools, or his/her designee shall notify the parent in writing of the right to request a hearing. Such hearing shall be scheduled within 30 business days of the receipt of a written request and shall be heard by the superintendent of schools, or his/her designee, who shall appoint an alternate hearing officer if he/she may have direct interest in the outcome of the hearing.

Notice of the hearing shall include:

- Notice of the time, date and location of the hearing;
- Notice of the right to present evidence; and
- Notice of the right to be assisted or represented by a person of the parents’ choice, including an attorney.

Following such hearing, the hearing officer shall issue a written decision within a reasonable time which shall include a summary of the evidence and the basis for the decision. If the hearing officer declines to amend the record, the decision shall advise the parents of their right to include with the record a statement of the reasons for their disagreement with the determination which shall be maintained by the district as part of the record and disclosed if such record is disclosed.

**CITY SCHOOL DISTRICT OF ALBANY
NOTIFICATION TO DENY RELEASE
OF STUDENT DIRECTORY INFORMATION**

I, _____ am hereby providing written notification, pursuant to the policy of the City School District of Albany, that **I do not wish** to have the directory information (name, address and phone number) of my child _____ (child's name) or myself (if I am a student 18 years of age or older) released, without my prior written consent, to [*check all that apply*]:

- _____ military recruiters
- _____ post-secondary educational institutions (including colleges and universities)
- _____ prospective employers
- _____ media (newspapers, radio, television)
- _____ advertising
- _____ all of the above

Failure to return this form by September 15, 200_ will result in the release of your child's directory information without your consent to anyone who requests it, including all of the above.

SIGNATURE REQUIRED: _____

ADDRESS: _____

TELEPHONE: _____

DATE: _____

**Please return this completed form to your child's
building principal.**

Letter to students 18 years of age and older

**CITY SCHOOL DISTRICT OF ALBANY
NOTIFICATION TO ELIGIBLE STUDENT OF RIGHTS UNDER THE FAMILY
EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

_____, 200_

Dear Student:

The Federal “Family Rights and Privacy Act of 1974” provides you with the right to inspect and review any and all official records, files and data directly related to you (including all material found in your cumulative record folder) and intended for school use or to be available to parties outside the school or district. If you wish to examine your records, you may request access, in writing, to your principal or guidance counselor. Upon receipt of your request, arrangements will be made to provide access to records within a reasonable period of time, (within forty-five (45) days after the request has been received).

Your records, and any material contained in them which may identify you, are confidential and may not be released or made available to persons other than yourself without your written consent. The law, however, provides some exceptions to this rule, such as other school employees and officials, and certain Federal and State officials who have a legitimate educational need for access to such records in the course of their employment. In addition, the school district will disclose, upon request, educational records to officials of another school district in which you seek to enroll.

In addition, “directory information” may be released by the school district without your prior written consent unless you have informed the district in writing on or before September 15th of the school year that you object. The term “directory information” includes a student’s name, address, and telephone listing. The district’s policy regarding the release of student directory information applies equally to military recruiters, the media, trade schools, colleges and universities, and prospective employers. It is important to understand that if you do not “opt out” of releasing directory information, then the district will release that information when it is requested to all of the above groups.

If you object to the release of your directory information, please check off, sign, date and return the attached form to your principal no later than September 15, 200_.

Please feel free to contact your principal or guidance counselor if you should have any questions regarding this matter.

Sincerely,

Eva C. Joseph Ed.D.
Superintendent of Schools

Letter to parents

**NOTIFICATION TO PARENT OR PERSON IN PARENTAL RELATION OF RIGHTS
UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
_____, 200_**

Dear Parent or Guardian:

The Federal “Family Rights and Privacy Act of 1974” provides you with the right to inspect and review any and all official records, files and data directly related to your children, including all material found in his or her cumulative record folder, and intended for school use or to be available to parties outside the school or district. If you wish to examine your child’s records, you may make a request in writing to the elementary principal of the building to which your child is assigned or the guidance counselor in the secondary school. Upon receipt of your request, arrangements will be made to provide access to records within a reasonable period of time (within forty-five [45] days after the request has been received).

Your child’s records, and any material contained in them which may identify your child, are confidential and may not be released to persons other than yourself without your written consent. However, the law provides some exceptions to this rule, such as school employees and officials, and certain Federal and State officials, who have a legitimate educational need for access to such records. In addition, the school district will disclose, upon request, educational records to officials of another school district in which you seek to enroll your child.

“Directory information” may be released by the school district without your prior written consent unless you have informed the school district in writing that you object. Directory information includes a student’s name, address, and telephone listing. The school district may disclose this information without your prior written consent unless you have informed the school district, in writing that you object before September 15th of the school year. The district’s policy regarding the release of student directory information applies equally to military recruiters, the media, trade schools, colleges and universities, and prospective employers. It is important to understand that if you do not “opt out” of releasing directory information, then the district will release that information when it is requested to all of the above groups.

If you object to the release of your child’s directory information, please check off, sign, date and return the attached form to your child’s principal by September 15, 200_.

Please feel free to contact your child’s principal or guidance counselor if you should have any questions regarding this matter.

Sincerely,

Eva C. Joseph Ed.D.
Superintendent of Schools