

FEDERAL FAMILY EDUCATION RIGHTS AND PRIVACY ACT

LEGAL NOTICE IS HEREBY GIVEN, in accordance with the Federal Family Education Rights and Privacy Act, the Freedom of Information Law, Public Officers Law section 84-90 (Sunshine Law) and the Education Law, that Pine Valley Central School shall make available qualified documents for public inspection to any eligible qualified voter, parent or student during normal business hours. Pine Valley Central School shall follow the above referenced statutes in determining qualification and eligibility for review and or release of information.

NOTICE IS ALSO GIVEN, that parents and eligible students (those over 18 years of age) have the right to: inspect and review a student's education record within 45 days of the day the District receives a request for access, request the amendment of a student's education record that the student or parent believes are inaccurate or misleading and, consent to disclosures of personally identifiable information contained in a student's education record except to the extent that FERPA authorizes disclosure without consent. Disclosure without consent shall be made to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest (teachers, administrators, board members, support or clerical staff, attorney, nurses and health staff, counselors, information systems specialists, substitute teachers and volunteers)
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific state law.

The District is also authorized to disclose directory information without consent to local news media for articles, announcements or programs about school activities, in public displays sponsored by the school, in school sponsored promotional information including brochure, flyers, newsletters, videotapes, etc., and via the World Wide Web in school sponsored web-sites or related

internet activities. The following has been designated as directory information: name and address of student, telephone listing, e-mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status, participation in officially recognized activities, weight and height of members of athletic teams, degrees, honors and awards received and most recent previously attended educational institution.

Under the No Child Left Behind Act §9528 (20 U.S.C. § 7908), the School District is required to provide access to secondary school students' names, addresses and telephone listings upon request by military recruiters. A secondary school student or a parent/guardian of the student may request that such information not be released without prior written consent. The School District is required to provide this notification of the option to make such a request and is required to comply with any such request. Both provisions require that military recruiters be afforded the same access to secondary student students as is provided generally to post-secondary educational institutions or to prospective employers of those students. The NCLBA, unlike the General Military Law, also requires that institutions of higher education have access to students' names, addresses and telephone listings.

Parents or eligible students have the right to refuse to allow the District to designate any or all of the above information as directory information. If a parent or eligible student wishes to **exercise their option to withhold their consent to release** any or all of the above information as directory information, then they must notify the Superintendent of Schools in writing by September 15th of each year or within 15 days of enrolling in the district. If the District receives no objection by this date, then such information may be disclosed without consent.

NOTICE IS ALSO GIVEN, that parents and eligible students have 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 is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-5920.

NOTICE IS ALSO GIVEN, that custodial parents are required to notify the District of any and or all student information that they don't wish released to non-custodial parents.