

# FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

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The Family Educational Rights and Privacy Act is a federal law that protects the accuracy and privacy of students' educational records.

The Family Educational Rights and Privacy Act (FERPA), Florida Statute 1002.22, and SB Policy 5100 afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1) ***The right to inspect and review a student's education records within 30 days of the day the District receives a request for access.*** Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. When the educational records contain information about more than one student, a parent may review the information related only to his or her child.
- (2) ***The right to request the amendment of a student's education records that the parent or eligible student believes are inaccurate or misleading.*** Parents or eligible students may ask the Broward County School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided when the parent or eligible student is notified of the right to a hearing.

- (3) ***The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.*** FERPA permits disclosure without consent pursuant to a court order or a subpoena, and to school officials\* with legitimate educational interests\*\*. If disclosure is made in response to a court order or subpoena, you will be notified, except where the law prohibits said notification.

The School Board reserves the right to release limited and appropriate Directory Information to law enforcement agencies and other governmental agencies, including Medicaid. However, federal and state law provides that the information in a student's educational records may be released to appropriate parties in connection with an emergency if necessary to protect the health or safety of the student or other individuals. Student names, addresses, and telephone numbers (if available) also will be released to the military

and/or Florida public institutions of higher education. "Directory Information" includes the student's name, gender, residential address, telephone number (if it is a listed number), date and place of birth, major field of study, participation in school-sponsored activities and sports, height and weight of athletic team members, dates of school attendance, degrees and awards received, and the name of the most recent previous school or program attended.

A parent/guardian may refuse to permit the release of any or all of the above Directory Information with respect to their child by notifying the principal of his or her school. This notification must be submitted to the principal, in writing, identifying the information that should not be released and to whom. This notification must be delivered to the principal prior to the beginning of the school year or within 10 days from the date of enrollment of a student after the start of each school year. Such requests must be submitted annually.

- (4) ***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, S.W. • Washington, DC 20202-4605.

*If you wish to discuss and try to resolve any FERPA concerns before contacting the Family Policy Compliance Office, you may contact the SBBC Privacy Officer at 754-321-1914.*

*\*School official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health and medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special function (such as an attorney, auditor, medical consultant or therapist); a clerical or paraprofessional staff member assisting another school official in performing his or her professional duties.*

*\*\*Legitimate educational interest exists when a school official needs to review an educational record in order to fulfill his or her professional responsibility.*

For additional information refer to SB Policy 5100. This policy outlines the confidentiality and the transfer of student records. You may view the complete student records policy and all School Board policies on the Web at <http://www.broward.k12.fl.us/sbbcpolicies>.