



## School District Five of Lexington and Richland Counties

### Notification of Rights under the Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents (including legal guardians) and students over 18 years of age (eligible students) certain rights with respect to students' education records. "Student education records" include any records maintained by a school or the district that are directly related to the student. These rights are:

#### **1. The right to inspect and review a student's education records within 45 days of the day the school receives a request for access**

Parents or eligible students\* should write a letter to the school principal and identify the record(s) they wish to inspect. The principal will make arrangements for access to those records and will notify the parent or eligible student of the time and place where they may inspect them.

#### **2. The right to request an 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**

Parents or eligible students may ask the school to amend an education record that they believe is inaccurate or misleading by writing the school principal. In that letter, they should not only clearly identify the part of the record they want changed, but also specify why they believe it is inaccurate or misleading. They should also provide any evidence to support their claim.

If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a district-level hearing regarding the request for amendment.

The school will provide additional information regarding the district's hearing procedures when they notify the parent or eligible student of the decision. After the hearing, if the district still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his/her view about the contested information.

#### **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 allows the district to disclose education records to school officials with a legitimate educational interest in the information contained in the record without consent from the parent or eligible student. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health and law enforcement staff); a person serving on the School Board; and a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor or therapist). A school official has a legitimate educational interest if that official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request and without consent, the district forwards and discloses education records to officials of another school district in which a student seeks/intends to enroll, specified officials for audit or evaluation purposes, appropriate parties in connection with financial aid, organizations conducting certain studies for



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the school, accrediting organizations, to comply with a judicial order or lawfully issued subpoena, to appropriate offices in cases of health and safety emergencies, and to state and local authorities within a juvenile system.

#### **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 federal agency that administers FERPA is as follows:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920.

*\*An eligible student is defined as a student who reaches 18 years of age or attends a post-secondary school.*