

**Susquehanna Valley Central School District**  
**ANNUAL NOTICE of Rights Under FERPA for Elementary/Secondary Schools**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days after the day the Susquehanna Valley Central School District (“District”) receives a request for access.

Parents or eligible students who wish to inspect their child’s or their education records should submit to the school principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the 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 who wish to ask the District to amend their child’s or their education record should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. 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 of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school’s or school district’s annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1)).
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2)).
- To authorized representatives of the U.S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35).
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4)).
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5)).
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6)).
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7)).
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8)).
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9)).
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11)).
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L)).
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K)).

**Susquehanna Valley Central School District**  
**ANNUAL NOTICE for Directory Information (FERPA)**

The *Family Educational Rights and Privacy Act* (“FERPA”),<sup>1</sup> a Federal law, requires that the Susquehanna Valley Central School District (“the District”), with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, the District may disclose appropriately designated “directory information” without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from your child’s education records in certain school publications and to celebrate student accomplishments with the community. Accordingly, the District may submit press releases to the local media (newspapers, radio, television, online news sites) that include student directory information, such as names, grade levels, information related to student accomplishments, photographs, and video recordings. In addition, we may choose to display such information at various school functions, post information on the District’s website(s) and/or social media channels, and/or publish information in District-sponsored publications. Examples of District-sponsored publications include, but are not limited to:

- District newsletter(s) or community magazines/website;
- A theatre playbill, showing the student’s role in a drama production;
- Honor roll, scholarships, awards, or other recognition lists;
- Sports program rosters or activity sheets, such as for wrestling, showing weight and height of team members.
- The annual yearbook;
- Awards Ceremony programs;
- Graduation programs; and

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, the New York State Education Law § 2-a and federal laws require local educational agencies (“LEAs”) receiving assistance under the Elementary and Secondary Education Act of 1965 (“ESEA”) to provide military recruiters, upon request, with three directory information categories—names, addresses, and telephone listings—unless parents (or students 18 years of age or older) have advised the LEA in writing that they do not want their student’s information disclosed without their prior written consent.<sup>2</sup>

If you do not want the District to disclose directory information from your child’s education records without your prior written consent, you must notify the District in writing by the end of the first full week of each school year, provided that publication of this notice is made prior to the start of the school year; or if publication is made subsequent to the start of the school year: within 15 days of publication; or for newly enrolled students: within 15 days of receiving this notice. A form is provided below for this purpose, which may be used to submit your request to the Main Office of your student’s school.

In compliance with the FERPA, the District has designated the following information as **directory information**:

**Directory information** means information contained in an education record of a student that would **not** generally be considered harmful or an invasion of privacy if disclosed. **Directory information includes**, but is not limited to, the student’s name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational agency or institution attended. **Directory information does not** include a student’s: (1) social security number; or (2) student identification (ID) number, except as provided below. **Directory information** includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems or that is displayed on a student ID card or badge, **but only if** the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

----- OPTIONAL FORM BELOW -----

<sup>1</sup> 20 U.S.C. § 1232g; 34 C.F.R. Part 99.

<sup>2</sup> These laws are Section 9528 of the ESEA (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

## Susquehanna Valley CSD – Directory Information Opt-Out FORM

If you agree to allow the District to disclose directory information about your student (as explained in the ANNUAL NOTICE above), and have not completed this form in the past, **you do NOT need to complete this form.** If no documentation is on file, it will be assumed that permission for release of directory information has been granted.

If you prefer to **WITHHOLD AND DENY** disclosure of your student's directory information (as explained in the accompanying ANNUAL NOTICE above) subject to the exceptions noted below, please complete this form and return it to the Main Office of your student's school no later than the dates indicated above in the ANNUAL NOTICE. **ONLY return this form to the District/School if you are requesting to withhold directory information.** You may also submit this form if you previously submitted this form to withhold directory information and now wish to rescind that prior request.

**BY SIGNING AND RETURNING THIS FORM TO THE DISTRICT, I FORMALLY STATE THAT I WISH TO WITHHOLD AND DENY THE DISCLOSURE OF MY STUDENT'S "DIRECTORY INFORMATION" (AS DEFINED ABOVE IN THE ANNUAL NOTICE) AS FOLLOWS:**

**(check all that apply)**

- Do NOT release to Colleges and other educational institutions.
- Do NOT release to U.S. Military recruiters. (e.g., Air Force, Army, Marines, Navy, etc.)
- Do NOT release to Prospective Employers.
- Do NOT include in District/School publications or newsletters, or release to the Media or any outside organization except as required by law (e.g., withhold information from school yearbooks, sports programs, theatre playbills, graduation programs, school displays, district website(s), newspapers for honor roll, etc.)

*NOTE: Pursuant to regulation, parents and eligible students may not, by opting out of the disclosure of directory information, prevent a school from requiring a student to wear or present a student identification card or a badge that displays information that has been designated as directory information. Further, parents and eligible students may not prevent an educational agency or institution from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled. In addition, directory information may also be disclosed to outside organizations or otherwise in situations where the parent/guardian has otherwise provided his/her specific written consent/permission to allow for such disclosure.*

*Subject to the exceptions above and under the laws and regulations, this request to generally withhold directory information will be in effect from the date it is received by the school until the date your student graduates or is released from the District High School or until you rescind or change your request. You may change your preferences at any time by submitting a new form to the District with your revised responses to the boxes above.*

### **RESCINDING A PRIOR OPT-OUT REQUEST**

*If you previously submitted an Opt-Out request for this student and wish to restore all permissions and allow for the disclosure of your student's directory information as described above in the ANNUAL NOTICE, please complete this "RESCINDING" section:*

- I previously submitted an Opt-Out form that restricted the disclosure of my student's directory information. However, I now wish to RESCIND my prior opt-out request, remove all prior restrictions, and hereby restore my permission/consent for the unrestricted disclosure of my student's directory information.

### **STUDENT INFORMATION**

<b>Student First Name:</b>	<b>Student Last Name:</b>
<b>School:</b> (check one): <input type="checkbox"/> Susquehanna Valley High School <input type="checkbox"/> Brookside Elementary	<input type="checkbox"/> Richard T. Stank Middle School <input type="checkbox"/> Donnelly Elementary

**Parent/Guardian Name (Print):** \_\_\_\_\_

**Parent/Guardian Signature\*:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

*\*Eligible students (e.g., 18 years of age) may sign their own request. (Revised 8/2015).*