



The Family Educational Rights and Privacy Act (FERPA) affords parents certain rights with respect to a student's education records. For students who reach the age of 18 or who enroll in a postsecondary institution the rights of the parent transfer to the student.

The following is a summary and is not meant to represent the entire FERPA text. FERPA can be read in its entirety at <http://www2.ed.gov/policy/gen/reg/ferpa/index.html>.

### **Access to Records**

Parents and eligible students have the right to inspect and review the student's education records within 45 days of the day the school/district receives a request for access.

Parents or eligible students should submit to the CSEC records department a written request that identifies the record(s) they wish to inspect. A CSEC Records Department official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

### **Requesting to Amend Education Records**

Parents and eligible students have the right to seek amendment of the student's records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights. Parents or eligible students should write the CSEC Registrar, clearly identifying the part of the record they want changed, and specify why it is inaccurate. 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 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.

### **Consenting to Disclosure**

Parents and eligible students have the right to consent to disclosures of personally identifiable information contained in the student's records, except to the extent that FERPA authorizes disclosure without consent.

### **Exceptions**

- 1) Records may be shared with: School officials, including teachers, with legitimate educational interests; officials of another school or district where the student seeks or intends to enroll; parents of students over 18 years of age who are dependent for federal income tax purposes.
- 2) Disclosure of disciplinary information regarding conduct that posed a significant risk to the safety or well-being of the student or others in the school community is a legitimate educational interest of all CSI or School officials.
- 3) Colorado Department of Education of Education may provide officials of such other school district with student performance information available on the statewide data system.
- 4) Records may also be shared with contractors, consultants, trusted CSEC volunteers or other outside service providers, including BOCES or the Charter School League with the understanding that the records are confidential and not to be shared.
- 5) The Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local education authorities but only if the disclosure is 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 which relate to those program or if specifically authorized by Federal law.
- 6) In connection with a student's application for or receipt of financial aid.
- 7) A criminal justice agency investigating a criminal matter concerning a student enrolled or who will reenroll in CSEC when necessary to effectively serve the student prior to trial. Such information shall only include disciplinary and attendance/truancy information and shall only be shared upon certification by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the student's parent/guardian.

- 8) Educational testing and research organizations for the purpose of administering student aid programs or improving instruction or developing, evaluating and administering predictive tests as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
- 9) Accrediting institutions to carry out their accrediting functions.
- 10) In emergency situations to appropriate persons if the information is necessary to protect the health and safety of the student or others.
- 11) Anyone if required by a court order or subpoena. CSEC will make reasonable efforts to notify the parent or eligible student prior to complying with the subpoena or court order.
- 12) A court presiding over a legal action initiated by CSEC or CSI where the education records are relevant, or a legal action initiated by a parent or eligible student where the records are relevant for the CSI's or School's defense.
- 13) CSEC or CSI may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.

### **Filing a Complaint**

Parents and eligible students have the right to file a written complaint with the U.S. Department of Education concerning alleged failures by the *school district* 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 20202-8520

### **Directory Information**

FERPA generally requires that CSEC or CSI obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, CSEC or CSI may disclose appropriately designated directory information without written consent, unless you inform the district in writing that you would like to opt out of directory information disclosures.

Directory information is information that is generally not considered harmful or an invasion of privacy if released. CSEC has designated the following information as directory information: Student's name; photograph; dates of attendance; grade level; most recent educational agency or institution attended; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and current courses in which student is enrolled.

CSEC or CSI may include this type of directory information in certain school publications, such as the following: A playbill, showing student's role in a drama production; the annual yearbook; honor roll or other recognition lists; graduation programs; sports activity sheets, such as for wrestling, showing weight and height of team members; bulletin board notices.

Directory information also may be disclosed, without prior consent, to outside organizations such as companies that manufacture class rings or publish yearbooks. In addition, two 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 have advised the LEA that they do not want their student's information disclosed without their prior written consent.

**If you do not want CSEC to disclose directory information from your child's education records without your prior written consent, you must notify CSEC in writing within 15 days of receiving this notice.**