

MINGO COUNTY SCHOOLS
FERPA - ANNUAL NOTIFICATION TO PARENTS, GUARDIANS, AND
ELIGIBLE STUDENTS
OF RIGHTS WITH RESPECT TO EDUCATIONAL RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords parents, guardians, and students over 18 years of age (called “eligible students”) certain rights with respect to the student’s educational records. They are:

1. **The right to inspect and review the student’s educational records within 45 days of the day the school or district receives a request for access.** Parents, guardians, or eligible students should submit to the appropriate school official a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent, guardian, 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 educational records believed to be inaccurate or misleading.** Parents, guardians, or eligible students may ask Mingo County schools to amend a record that they believe is inaccurate or misleading by writing the school principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading. If the school or school system decides not to amend the record as requested, the school or school system will notify the parent, guardian, 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, guardian, or eligible student when 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.** One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school system as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school or school system has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a person serving on an official committee, such as a disciplinary or grievance committee, or acting in an official capacity to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. In addition, Mingo County schools forward educational records without prior consent to the following parties: upon request of other schools to which a student is seeking to enroll; certain government officials in order to carry out lawful functions; appropriate parties in connection with financial aid to a student; organizations doing certain studies for the school; accrediting organizations; individuals who have obtained court orders or subpoenas; persons who need to know in cases of health and safety emergencies; and state and local authorities within a juvenile justice system, pursuant to specific state laws. Schools may also disclose “directory” type information without prior

consent. Directory information includes the student's name, address, telephone number, date/place of birth, major field of study, participation in officially recognized sports and activities, weight/height of members of athletic teams, dates of attendance, diplomas and awards received, most recent previous educational institution/agency attended, grade level, and photograph. School officials must notify parents, guardians, and eligible students about directory information and allow a reasonable amount of time for them to notify the school not to disclose directory information about them.

- 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or school system 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.

More information about the collection, maintenance, and disclosure of student information is available through the Family Educational Rights and Privacy Act of 1974 and WV Board of Education Policy 4350 "Procedures for the Collection, Maintenance, and Disclosure of Student Data".