

Records

ANNUAL NOTIFICATION

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Model operating procedures created by



Student Solutions

and

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Annual Notification

What is Required

At least once annually, the District must notify parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Family Educational Rights and Privacy Act (“FERPA”). The annual notification must inform parents or eligible students of their right to:

- Inspect and review the student’s education records;
- Seek amendment of the student’s education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student’s privacy rights;
- Consent to disclosures of personally identifiable information contained in the student’s education records, unless consent is not required to disclose information, see [CONSENT FOR DISCLOSURE OF CONFIDENTIAL INFORMATION] and [WHEN CONSENT IS NOT REQUIRED TO DISCLOSE INFORMATION]; and
- File a complaint concerning alleged failures of the District to comply with the requirements of FERPA with the Family Policy Compliance Office.

The notice must also include all of the following:

- The procedures for exercising the parent or eligible student’s opportunity to examine all records relating to the student, see [PARENT OR ELIGIBLE STUDENT ACCESS TO EDUCATIONAL RECORDS];
- The procedures for amending education records, see [PROCEDURES FOR AMENDING EDUCATION RECORDS]; and
- The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest, if the District has a policy of disclosing education records without parental consent to school officials, including teachers, within the District whom the District has determined to have legitimate educational interests.

Definitions

“Parent” is a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

“Eligible student” is a student who has reached 18 years of age or is attending an



institution of postsecondary education.

“Student” is any individual who is or has been in attendance at the District and regarding whom the District maintains education records—except as otherwise specifically provided under FERPA or by guidelines regarding the administration of records. See [ADMINISTRATION OF RECORDS].

The District must effectively provide annual notification to parents or eligible students who are disabled and to parents who have a primary or home language other than English. The annual notification may be provided by any means that are reasonably likely to inform the parents or eligible students of their rights.

Additional Procedures

Annual Notification

FERPA does not provide any specific requirements for the means in which the District must inform parents of their rights. Thus, the annual notification may be published by various means, including, but not limited to: a student handbook; separate written notice sent to parents; in the calendar of events; on the school’s website (although this should not be the only means in which it is published); in the local newspaper; or posted in a central location at the school or various locations throughout the school.

District Administration will determine the manner in which the notice is provided to parents and eligible students and develop the written notification to be provided. District Administration will review this notification annually to ensure compliance with applicable state and federal guidelines.

Directory Information

The District may also consider including in the annual notification notice of the policies and procedures related to directory information. If it chooses to do so, this notice should include (1) the types of personally identifiable information that the District has designated as directory information, (2) a parent’s or eligible student’s right to refuse to let the District designate any or all of those types of information about the student as directory information; and (3) the period of time within which a parent or eligible student has to notify the agency or institution in writing of the refusal to let the District designate any or all of those types of information about the student as directory information.

Transparency with Parents and Eligible Students

The U.S. Department of Education has stressed the importance of transparency with parents and eligible students regarding their data privacy, confidentiality, and security practices. Therefore, in addition to the information that must be disclosed to parents in the annual notification, the District will consider also including what data it is collecting



about students and why, how that information is protected, whether the District will share any personal information with third parties (as well as to whom and for what purpose it will be shared), and who parents or eligible students should contact with questions about data practices.

Evidence of Implementation

- Annual Notification Provided in Parent's Native Language
- Yearly Review of Annual Notification

Resources

[The Legal Framework for the Child-Centered Special Education Process: Annual Notification - Region 18](#)

[Family Policy Compliance Office Notice to Superintendents \(Dec. 1, 2014\) - U.S. Department of Education](#)

[Family Policy Compliance Office Letter to Anonymous \(Aug. 22, 2012\) - U.S. Department of Education](#)

[Model Notification of Rights under FERPA for Elementary and Secondary Schools - U.S. Department of Education](#)

[Model Notification of Rights under FERPA for Postsecondary Institutions - U.S. Department of Education](#)

[Annual Notification and Rights of Parents - National Center for Education Statistics](#)

[FERPA General Guidance for Parents - U.S. Department of Education](#)

[Transparency Best Practices for Schools and Districts \(Sept. 2014\) - U.S. Department of Education](#)

CITATIONS

Board Policy FL; 34 CFR 99.3, 99.63, 99.7(a)–(b), 99.31(a)(1) 99.63, 99.64