

## NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT, 20 USC 1232 (g) FOR ELEMENTARY AND SECONDARY INSTITUTIONS

The Family Educational Rights and Privacy Act (“FERPA”) affords parents and students 18 years and 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 forty-five (45) working days after the day the district receives a request for access.

Parents or eligible students should submit to the school principal, or designee, a written request that identifies the record(s) they wish to inspect. The principal or designee 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 student’s education records that the parent or eligible student believes are inaccurate or misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend a 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 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.

(3) The right to privacy 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 as an administrator, supervisors, 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 has contracted as its agent to provide a service instead of using its own employees or officials (such as attorneys, auditors, bus drivers, athletic trainers, medical consultants, mental/behavior health consultants, therapists and other service providers used to deliver educational or other related services either in person or online); a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks, and state agencies conducting research (such as the Colorado Department of Public Health and Environment).

A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility.

- Under FERPA, the school district may disclose directory information without the written consent of the parent/guardian or eligible student. The Cherry Creek School District considers directory information which may be released to include the student’s name; major field of study; grade level; assigned class; class lists; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of enrollment; degrees and awards received; the most recent and previous education agency or institution attended by the student; the annual yearbook; a playbill showing a student’s role in a drama production; and the student’s name in the graduation program. Telephone numbers and addresses, including email addresses of current students will not be disclosed pursuant to Colorado law.
- The parent/guardian or eligible student has the right to refuse to permit the designation of any or all of the categories of information provided if such refusal is received in writing in the office of the principal of the school where the student is in attendance no later than September 7 or the following Monday if September 7 is a Saturday or Sunday.
- Upon request, the school district discloses education records including discipline information and threat assessments without prior written consent to officials of another school district or school in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for the purpose of the student’s enrollment or transfer, as is allowed under exceptions to FERPA protection.

(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 office that administers FERPA is: The Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave. SW, Washington, DC 20202-4605.

District Policy JRC, *Student Records/Release of Information* on Students, explains the rights and responsibilities pursuant to the release of student records. Copies of this policy are available at the individual schools, on the district website at [www.ccsd.k12.co.us](http://www.ccsd.k12.co.us) or at the Cherry Creek School District Educational Services Center, 4700 S. Yosemite St., Greenwood Village, CO 80111.