



School Administrative Unit #41

Hollis, Brookline & Hollis-Brookline Cooperative School Districts
Office of the Superintendent of Schools
4 Lund Lane

Hollis, New Hampshire 03049
603.324.5999 fax 603.465.3933

Annual Notification of Rights Under F.E.R.P.A

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 School District receives a written request for access.** *(NH RSA 189:66 requires the school district to provide this right within 14 days of the receipt of request)*

Parents or eligible students should submit to the school principal 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.

If copies of educational records are requested, the District may charge a fee of .15 cents per page to make the copies.

- 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 School District to amend a record should write the school principal, 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. A school official is a person employed by the school 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 or contractor outside of the school who performs an institutional service of 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 Personally Identifiable Information 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 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 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.

The school District may disclose education records of a student in attendance to another educational agency or institution if the student is enrolled in or receives services from the other agency or institution and the disclosure is for the purpose related to the student's enrollment.

Disclosure of Personally Identifiable Directory Information

The School District may disclose "directory information" without prior written consent from a parent or eligible student. "Directory information" is the information that is contained in an education record(s), that would not generally be considered harmful or an invasion of privacy if disclosed. The School Districts hereby designate the following as directory information that may be disclosed without prior written consent.

- Name
- Student address
- Parent name and email address
- Telephone
- Participation and grade level of students in recognized activities and sports
- Height and weight of student athletes
- Years of attendance in the school district
- Honors and awards received
- Videos and photographs of student participation in school activities open to the public

Unless you advise the district in writing that you do not wish to have all or some of your student's directory information released, the District may disclose directory information in certain school publications, such as the yearbook, honor roll, graduation programs, sports activity sheets, and playbills. The district may also disclose directory information to outside organizations such as companies that manufacture class rings or publish year books. In addition, the district may disclose your child's name, address and telephone listing to military recruiters who request the same.

If you do not want the District to disclose all or part of the directory information from your child's educational records without your prior written consent, you must notify the District in writing, no later than **September 15th** of each school year or within thirty (30) days of enrollment, whichever is later. Notices must be submitted in writing to the building principal.

- 4. FERPA permits the disclosure of Personally Identifiable Information 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 Personally Identifiable information 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)(I) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
 - These individuals include but are not limited to: building principals, assistant principals, special education administrators, curriculum administrators, classroom teachers, support staff, related service providers, guidance staff, other instructors, special education staff, nursing staff, school psychologists and evaluators, employees assigned to maintain records, secretarial and clerical staff assisting any of the staff above, other support staff, health staff, medical staff and law enforcement unit personnel.
 - Employees of NH School Administrative Unit 41 including but not limited to the Superintendent of Schools, The Assistant Superintendent of Schools, The Director of Student Services, the Assistant Director of Student Services, The Business Administrator or Assistant Business Administrator. Secretarial and clerical staff assisting any of the above.
 - Appointed and elected officiate of the SAU 41 and represented School Districts including, but not limited to school board members, budget committee members disciplinary or grievance committees or and parent or student serving on an official commits assisting another school official in performing his or her own tasks. +
 - Individuals and entities assisting the School District in legal matters including but not limited to the insurance brokers, insurance agents adjusters, claim representatives, legal counsel for the school, districts, expert witnesses, and consultants to provide the school districts legal team with advice.
 - 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 in the parent or eligible student's State (SEA). 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. (§§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 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. (§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. (§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" under §99.37. (§99.31(a)(11))

5. 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