

## **The Family Educational Rights and Privacy Act (FERPA):**

[http://doe.sd.gov/ofm/sims\\_ferpa.aspx](http://doe.sd.gov/ofm/sims_ferpa.aspx)

<http://doe.sd.gov/ofm/documents/FERPAbasi.pdf>

**FERPA** is a federal law that gives the parent or guardians and eligible student 18 years of age, or older the right to:

- 1) **Inspect and review the student's educational records.** The Lennox School 41-4 must comply within 45 days after receiving a written request that identifies the records parent/guardian and eligible student wish to inspect. The Lennox School District 41-4 will notify parent/guardians and eligible student with a time and place to review the records requested. Schools are not required to provide copies of records unless reasons such as great distance make it impossible for parents and eligible students to review the records.
- 2) **Amending any report that is inaccurate, misleading, or violates the child's rights:** The parent or eligible student should write the school principal clearly identifying what they want changed and why they want it 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 notify them of their right to a hearing regarding the request for the amendment. After a hearing, the decision is still not to amend, parent or eligible student has the right to insert a statement in the record.
- 3) **The right to provide written consent before the school discloses personally identifiable information from the student's educational record (PII), except to the extent that FERPA authorizes disclosure without consent.**

**FERPA permits disclosure without consent to** school officials with legitimate educational interest, such as someone employed by the school- an administrator, supervisor, instructor or support staff member (including health or medical staff, law enforcement) or a person serving on the school board. A school official may also include a volunteer or contractor outside of the school who performs an institutional service or 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 PII 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, 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 responsibilities. 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.

**Note:** The Lennox School District 41-4 may disclose the following PII's without permission in accordance with FERPA (34 CFR 99.31):

- Audit or evaluation purposes
- Parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- Judicial order or subpoena
- Health and safety emergencies
- State and local authorities
- Transferring to another school

- 4) **Right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with FERPA.**

The Family Policy Compliance Office can be reached at the following address;  
U.S. Department of Education  
600 Independent Avenue, SW  
Washington, DC 20202-4605  
(202) 260-3887