

DRAFT FOR POLICY COMMITTEE

Notice Regarding Privacy of Student Records

TO ALL PARENTS OF STUDENTS CURRENTLY ATTENDING THE PUBLIC ACADEMY FOR PERFORMING ARTS (PAPA) AND ALL STUDENTS CURRENTLY ATTENDING WHO HAVE REACHED THE AGE OF 18.

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that governs the maintenance of student records. Under that law, parents of students or students, if they are least 18 have both the right to inspect records kept by the school about the student and the right to correct inaccuracies in the record. Access to the records by other than the parents or the student is limited and generally requires prior consent by the parent or the student. PAPA has adopted a written policy governing all the rights of parents and students under FERPA. Copies of this policy may be found in the in the principal's office.

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PAPA policy limits the right of access to education records to the persons and circumstances indicated in Paragraph B above. PAPA requires that copies be made available to persons entitled to receive copies. PAPA policy provides that explanations and interpretations of records are available upon reasonable advance notice. Some records, such as standardized test scores and other material of a technical nature, may only be reviewed with a person qualified to interpret and explain such material and records. PAPA policy provides the right to request in writing an amendment of the student's educational records that the parent or eligible student believes are inaccurate or misleading. If records contain information on more than one student, the right to inspect relates only to that portion of the records concerning the particular student in question.

As defined by PAPA policy, directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. PAPA classifies the following as directory information:

1. The student's name;
2. Grade in school;
3. Name of school;
4. Eligibility and participation in officially recognized activities, including but not limited to fine arts exhibits, performing arts programs, other performances, graduation programs and sports events;
5. Weight and height of members of athletic teams;
6. Honors and awards received;
7. Yearbooks; and
8. Identification in visual media, including photographs, videotapes, and video images, depicting school programs or activities

School officials may release this information to any person without the consent of the parents or the student. Any parent or eligible student who objects to the release of any or all of this information without consent must notify, in writing, the principal of the school where the records are kept within fifteen (15) days following the date of the publication of this notice. The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received by fifteen (15) days after the publication of this notice, the information will be classified as directory information until the beginning of the next school year.

In addition, PAPA will forward, without prior consent, education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for a purpose related to the student's enrollment or transfer. PAPA may also disclose education records to other "school officials" including contractors, consultants, volunteers, or other parties to whom the district has outsourced instructional services or functions, provided this outside party (1) performs an institutional service or function for which the district would otherwise use employees; (2) is under the district's control with regard to the use and maintenance of education records; and (3) is subject to the same conditions for the use and re-disclosure of education records as other school officials.

Complaints about failure of PAPA to comply with the Family Educational Rights and Privacy Act may be made, in writing, to FERPA Office, Department of Health and Human Services, 330 Independence Avenue, S.W., Washington, D.C. 20201.

Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA) 20 U.S.C. § 1232h, requires school districts to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns any of the following eight specific areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parent
2. Mental or psychological problems of the student or student's family
3. Sexual behavior or attitudes
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of others with whom respondents have close family relationships
6. Legally-recognized privileged relationships, such as with doctors, lawyers, or ministers
7. Religious practices, affiliations, or beliefs of the student or parents
8. Income, other as required by law to determine program eligibility

This requirement also applies to the collection, disclosure, or use of student information for marketing purposes ("marketing surveys") and certain physical examinations and screenings ("activities").

PAPA does not currently plan to administer surveys that seek any of the “protected information” detailed above. Should a situation arise where such a survey needs to be administered, PAPA will provide notification to parents within a reasonable period of time prior to the administration of the surveys and activities. Parents will be provided with an explanation of the activity and will have an opportunity to review the surveys and any instructional materials used in connection therewith. Parents will have the opportunity to consent to or opt their child out of participation.

The rights granted by PAPA, as well as the opportunity to consent/opt out, transfer from parents to any student who is 18 years old or is an emancipated minor under State law.

Parents who believe their rights have been violated may file a complaint with: Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5901.