

## **PRIVACY NOTICES TO PARENTS AND STUDENTS**

### **Notification of Rights under FERPA for Elementary and Secondary Schools**

The Family Education Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“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 of the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) 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.
2. The right to request the amendment of the student’s education records that the parents 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 to amend a record should write to 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 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 consent to disclosures 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, supervisor, 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 an attorney, auditor, medical consultant, or therapist); or a parent or students serving on an official committee, such as a disciplinary or grievance committee, or 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.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the requirements of FERPA. The office that administers FERPA is Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.

## **FERPA: Notice of Directory Information**

The McNairy County School System may disclose certain information, known as directory information, without consent, in publications such as, but not limited to, the annual yearbook, honor roll/recognition lists, playbills, graduation programs, and sports programs. Parents or eligible students may refuse to allow the school system/school to release this information. If you do not want this information released, you must visit the school office annually and complete the Directory Information Opt-Out Form within 10 days of the start of the school year or within 10 days of your student's enrollment in the school.

The System has designated the following information as directory information: student's name; address; date and place of birth; telephone listing/number; electronic mail address; photograph/visual image; enrollment information: major field of study, dates of attendance; grade level; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; most recent educational agency or institution attended; other similar information that would not generally be considered harmful or an invasion of privacy if disclosed.

In addition, two federal laws require local education agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – name, address, and telephone listing – unless parents have advised the school that they do not want their student's information disclosed without their prior written consent (by filling out a Military Recruitment Opt-Out Form at the school office).

## **Parental Authorization and Release Agreement for Student Publicity**

The McNairy County School System frequently publicizes student accomplishments, honors/awards, projects, etc. in local and regional media. It is understood that parents grant the McNairy County School System permission to use the name, photograph, image, voice, written work, academic product, and/or quote of the student in media publicity prepared/allowed by the school system. The parent understands and agrees that the name, photograph, image, voice, written work, academic product, and/or quote may appear in a media publication (including any print media, television broadcast, multimedia presentation or website), which will be distributed to/viewed by various groups and/or persons.

The parent/guardian releases the Board, its agents and employees, including the Director of Schools, from any and all claims, demands, damages, actions, causes of action, or suits of any kind or nature whatsoever, which may arise, or may in the future arise, from the publication of the photograph, image, voice, and/or quote of the Child and/or the dissemination of the name, photograph, image, voice, and/or quote by a media outlet or on a website.

To refuse to allow the McNairy County School System to disseminate such publicity in any print, broadcast, or electronic media, the parent must annually complete and sign the Media/Publicity Opt-Out Form in the school's front office.

### **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

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. Sex 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 lawyers, doctors, or ministers
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use:

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. The McNairy County School System has developed and adopted policies, in consultation with parents, regarding these rights as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School/System will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The School/System will also directly notify, such

as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey. The School/System will make this notification to parents at the beginning of the school year if the System has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution
- Administration of any protected information survey not funded in whole or in part by ED
- Any non-emergency, invasive physical examination or screening as described above.

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