

PUBLIC NOTICE REGARDING
PERSONALLY IDENTIFIABLE INFORMATION;
ACCESS TO INFORMATION;
AND DISCLOSURE OF DIRECTOR INFORMATION

The Lake Preston School District 38-3 in accordance with the Family Educational Rights and Privacy Act, FERPA, (34 CFE 99.7; and 99.37) has established the following policies and procedures:

ACCESS RIGHTS: Parents and eligible students have a right to:

1. Inspect and review the student's educational records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student's educational records except to the extent that the Act and the regulations in this part authorize disclosures without consent.
4. File with the U. S. Department of Education a complaint concerning alleged failures by the school district to comply with the requirements of the Act and this part;
5. Obtain a copy of this policy and regulation in the building principal's or superintendent's office of the Lake Preston School District.

DIRECTORY INFORMATION: Means information contained in an education record of a student in which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to the student's name, address, telephone listing, date and place of birth, major activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received and most recent previous educational agency or institution attended.

PERSONALLY IDENTIFIABLE INFORMATION: Includes, but is not limited to: the student's name, the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, or a list of personal characteristics that would make the student's identity traceable, or other information that would make the student's identity easily traceable.

DISCLOSURE OF DIRECTORY INFORMATION: The school district shall disclose directory information if it has been given public notice to parents and students of:

1. Types of personally identifiable information that the school district has designated as directory information.
2. A parent's or student's right to refuse to let the school district designate any or all of those types of information about the student as directory information; and
3. Fifteen (15) days from this public notification of disclosing directory information, the parent must contact the school district in writing of their refusal to release some or all of the directory information.

DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION:

- A. An educational agency or institution may disclose personally identifiable information from an education record of a student without the consent required by subsection 99.30 if the disclosure meets one or more of the following conditions:
 1. The disclosure is to other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests.
 2. The disclosure is subject to the requirements of subsection 99.34, to officials of another school, school system, or institution of postsecondary education where the student seeks to intend to enroll.
 3. The disclosure is, subject to the requirements of subsection 99.35, to authorize representatives of:
 - i. The Comptroller General of the United States.
 - ii. The Secretary; or
 - iii. State and local educational authorities.
 4. (i) The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to: A) Determine eligibility or the

aid; B) Determine the amount of the aid; C) Determine the conditions for the aid; or D) Enforce the terms and conditions of the aid.

(ii) As used in paragraph (a) (4) (i) of this section, “financial aid” means a payment of funds provided to an individual (or a payment in kind of tangible or intangible property to the individual) that is conditioned on the individual’s attendance at an educational agency or institution.

(Authority: 20 U.S.C. 1232g (b)(1)D))

5. (i) The disclosure is to state and local officials or authorities, if a State statute adopted before November 19, 1974, specifically requires disclosures to those officials and authorities.
(ii) Paragraph (a) (5) (i) of this section does not prevent a state from further limiting the number or type or state or local officials to whom disclosures may be made under that paragraph.
6. (i) The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to:
 - A. Develop, validate, or administer predictive tests;
 - B. Administer student aid programs; or
 - C. Improve instruction(ii) The agency or institution may disclose information under paragraph (a)(6)(i) of this section only if:
 - A. The study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization; and
 - B. The information is destroyed when no longer needed for the purposes for which the study was conducted.(iii) For the purposes of paragraph (a)(6) of this section, the term “organization” includes, but is not limited to, federal, state, and local agencies, and independent organizations.
7. The disclosure is to accrediting organizations to carry out their accrediting functions.
8. The disclosure is to parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954.
9. (i) The disclosure is to comply with a judicial order or lawfully issued subpoena.
(i) The educational agency or institution may disclose information under paragraph (a)(9)(i) of this section only if the agency or institution makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.
10. The disclosure is in connection with a health or safety emergency, under the conditions described in subsection 99.36.
11. The disclosure is information the educational agency or institution has designated as “director information”, under the conditions described in subsection 99.37.
12. The disclosure is to the parent of a student who is not an eligible student or to the student.

B. This section does not forbid or require an educational agency or institution to disclose personally identifiable information from the educational records of a student to any parties under paragraphs (a)(1) through (11) of this section.

(Authority: 20 U.S.C. 1232G (a) (5)(A), (b)(1) and (b)(2)(B))

A copy of these policies and regulations may be obtained in the building principal’s or superintendent’s office of the named school district. Complaints regarding violation of rights accorded parents and students should be submitted to the Superintendent of Schools of the Lake Preston School District, or the Family Education Rights and Privacy Act Office, Department of Health, Education and Welfare, 330 Independence Avenue SW, Washington, DC 20201.