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HIGH SCHOOL**
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**WILLIAM G. HOUSTON
MIDDLE SCHOOL**
8855 ERIE ROAD
ANGOLA, NY 14006-9624
716-926-2400
FAX 716-549-4374

**ANTHONY J. SCHMIDT
ELEMENTARY SCHOOL**
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**HIGHLAND
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**JOHN T. WAUGH
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Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational 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 District receives a request for access. Parents or eligible students should submit to the building principal, a written request that identifies the record(s) they wish to inspect. The District 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 parent or eligible student believes are inaccurate or misleading or otherwise in violation of FERPA. Parents or eligible students who wish to amend a record should write to the building principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the District decides not to amend the record as requested by the parent or eligible student, the District 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 District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the school board; a person

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or company with whom the District has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, insurance investigator or company, medical consultant or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks; an individual(s) and organization(s) which the District requests to make a review of the possible appropriateness of providing special education placement, program or services to a student on behalf of the District including, but not limited to BOCES (Board of Cooperative Educational Services), other school districts, approved private schools, and providers of services such as speech therapy, physical therapy, occupational therapy, music therapy, counseling, autism services, special transportation, etc. An individual(s) and/ or organization(s) will be considered a school official regardless of whether the District compensates them for their services. 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 including, but not limited to, reviewing or recommending services, programs, or placement.

In the event of a health and safety emergency, the District may disclose information from a student's education record when such disclosure appears likely to protect the safety of the student or others.

Upon request, the District discloses education records without consent to officials of another 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 District 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

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FERPA permits the disclosure of PII 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 PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

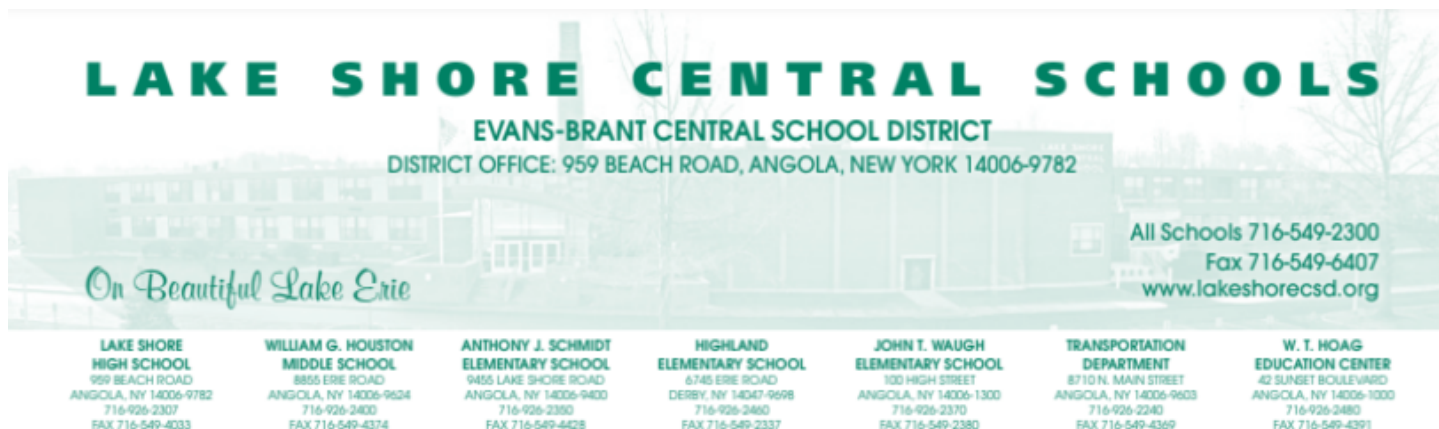
To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))

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 (SEA) in the parent or eligible student's State. 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, if applicable requirements are met. (§§ 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 for such purposes as 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, if applicable requirements are met. (§ 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 if applicable requirements are met. (§ 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" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))

To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))

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To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))



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Directory Information Notice

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from your child's education records in certain District publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook or periodic newsletters; • Honor roll or other recognition lists;
- Graduation programs;
- Sports activity sheets, such as for wrestling, showing weight and height of team members; and
- The District's website, Facebook page, Twitter account, and/or other social media

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, may be disclosed to outside organizations without a parent's prior written consent in connection with school-related activities or purposes. Examples of such outside organizations include, but are not limited to companies that manufacture class rings or publish yearbooks. In addition, federal laws require the District to provide military recruiters, upon request, with the following information - names, addresses, and telephone listings - unless parents have advised the District that they do not want their student's information disclosed without prior written consent.

The District has designated the following information as directory information:

- Student's name - Participation in officially recognized activities and sports
- Photograph (still or moving) - Weight and height of members of athletic teams
- Major field of study - Degrees, honors, and awards received - Dates of attendance
- The most recent educational agency or institution attended - Grade level

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If you DO NOT want the District to disclose directory information (as designated above) from your child's education records without your prior written consent, you must notify the District via email at michelle.krieger@lscsdcsd.org. Please be sure to submit one request per child.

The Lake Shore Central School District utilizes several web-based services operated by third parties, for example, GoogleApps and GoogleDrive, and GoogleMail for Education (GAFE), as well as other cloud storage services. In accordance with the Federal Children's Online Privacy Protection Act ("COPPA"), for students under the age of 13, the District must notify you that these services may collect personal information for the use and benefit of the school. If an operator of these applications or services intends to use or disclose students' personal information for the operator's own commercial purposes, the school must obtain parental consent.



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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:

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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 Lake Shore Central School District 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. Lake Shore Central School District will directly notify:

- parents of these policies at least annually at the start of each school year and after any substantive changes.
- parents of students who are scheduled to participate in the specific activities or surveys noted below.
- will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey through U.S. mail or email.

The Lake Shore Central School District will make this notification to parents at the beginning of the school year if the District 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
- provided an opportunity to opt their child out of such activities and surveys
- provided an opportunity to review any pertinent surveys

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Below 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:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue; SW
Washington, DC 20202