

**NOTIFICATION OF RIGHTS UNDER THE
FAMILY EDUCATIONAL RIGHTS AND PRIVACY
ACT (FERPA) FOR ELEMENTARY AND SECONDARY
INSTITUTIONS**ISSUE DATE: **8-23-04**

The Family Educational Right and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's educational records. They are:

1. The right to inspect and review the student's educational records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal or appropriate school official, a written request that identifies the record(s) they wish to inspect. The principal 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.

Parents or eligible students may ask the Jackson County School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

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 unit personnel; a person serving on the School Board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or 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.

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 to officials of another school district in which a student seeks or intends to enroll, the district discloses educational records without consent.

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The district discloses directory information regarding its students. Directory information means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It may include, the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.

The parent or eligible student has the right to refuse to let the district designate any or all types of information about the student as directory information. The parent or eligible student must notify the principal (or designee) in writing within five (5) days of receipt of the *Handbook and Code of Conduct for Students and Parents* that he or she does not want any or all of those types of information about the student designated as directory information. Otherwise, consent is implied for the Jackson County School District to release directory information to others including military recruiters as outlined below.

In the event that the school district provides either post secondary educational institutions or perspective employers of secondary student's access to its school campuses, it must also provide military recruiters the same type of access. The school district must also provide, upon request of military recruiters, the names of students, their addresses, and telephone numbers unless the secondary school student or the parent has requested that the school not release this information without prior written parental consent.

The district may disclose directory information about former students without meeting these conditions.

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 is:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, S.W.
Washington, D.C. 20202-4605

Legal Reference: Section 438 of the General Education Provisions Act (PL. 93-380)
November 17, 1974
Section 37-15-1, 37-15-3; Mississippi Code of 1972
45, C.F.R. Part 99, 45 CFR Part 121A