

Notification of Rights under FERPA for Elementary and Secondary Schools

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 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 parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal and clearly identify the part of the record they want changed, and specify why it is inaccurate. 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, however, FERPA authorizes certain disclosures without your 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 to perform a special task such as an attorney, auditor, medical consultant, or therapist; or a parent or student serving on an official committee; any adult volunteer designated by the Chief Executive Officer of the Cleveland Metropolitan School District as having a legitimate educational interest and/or who is assisting other school officials in performing tasks.
- A school official has a legitimate educational interest if the official needs to review or obtain information contained in an education record in order to fulfill his or her professional responsibility.
- The Safety and Security Department of the Cleveland Metropolitan School District is a designated school law enforcement unit whose records, including security videos, are separately maintained and are not considered educational records protected under FERPA. These records may be disclosed without consent but subject to Ohio law regarding law enforcement records and the personally identifiable student information.
- In an emergency, so as to protect the health and safety of students or other persons,

educational records will be disclosed without your consent to the appropriate persons or agencies such as law enforcement, public health officials, trained medical personnel and others.

- Upon request, the School will disclose education records without consent to school officials of another school district or educational institution in which a student seeks or intends to enroll.
- Upon request, and if the information will not be used in a profitmaking plan or activity, the District will disclose “directory information” without your consent unless you complete and return the **Directory Information Opt-Out Form** to your principal who will forward the form to the District Law Department. Military recruiters will have equal access to directory information for which the District has not received the Opt-Out Form. Under Board Policy, JO, Student Records, “directory information” is defined as the following about a student:
 - name
 - address
 - telephone number(s)
 - date and place of birth
 - participation in officially recognized activities and sports
 - achievement awards or honors
 - weight and height, if a member of an athletic team
 - major field of study
 - dates of attendance (“from and to” dates of enrollment)
 - date of graduation

(4) **The right to file a complaint** with the U.S. Department of Education concerning alleged failures by the Cleveland Metropolitan School 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 20202-5901

Contact the Law Department for the Cleveland Metropolitan District at (216) 574-8210 if you have questions.