

CONFIDENTIALITY

Northern Potter School District protects the confidentiality of personally identifiable information regarding its exceptional and protected handicapped students in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and other applicable federal and state laws.

"Education records" means those records that are directly related to the student which are maintained by an educational agency or by a party acting for the agency. "Education agency," for purposes of this notice, means the local school district. For all students, the school district maintains education records, which include but are not limited to:

Personally Identifiable Information - Confidential information that includes, but is not limited to, the student's name, name of parents and other family members, the address of the student or student's family, and personal information or personal characteristics which would make the student's identity easily traceable.

Directory Information - Information contained in an education record of a student 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 number, 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.

Directory information may be released without parent consent. Parents have the right to refuse to let an agency designate any or all of the above information as directory information. The school district must obtain parent consent before disclosing personally identifiable information to anyone not entitled to see it under law. (Note: Student consent takes the place of parent consent if the student is 18 years old or attending a postsecondary institution.) "Consent" means: the parents have been fully informed regarding the activity (requiring consent, in their native language or other mode of communication; they understand and agree in writing to the activity; and, they understand that consent is voluntary and may be revoked at any time).

Parents have the right to inspect and review a child's education record. The school district will comply with a request to inspect and review education records without unnecessary delay and before any meeting regarding an IEP or any due process hearing, but in no case more than 45 days after the request has been made. Parents have the right to a response from the school district to reasonable requests for explanations and interpretations of the records. Parents have the right to request copies of the records. While the district cannot charge a fee to search for or to retrieve information, it may charge a copying fee as long as it does not effectively prevent the parent from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any education record contains information on more than one child, parents have the right only to inspect and review the information relating to their child.

If parents think information in an education record is inaccurate, misleading, or violates the privacy or other rights of their child, they may request amendment of the record. The school district will decide whether or not to amend the record and will notify the parent in writing of its decision. If the school district refuses to amend a record, it will notify the parents of their right to a hearing to challenge the disputed information. The parent must then, if desired, notify the school, in writing if they require such a hearing.

Such records hearings will be held within a reasonable time after a parent request and the parent shall be notified of the date, time, and place a reasonable time in advance. The hearing may be conducted by any individual, including a school district official who does not have a direct interest in the outcome of the hearing. The parent will have a fair opportunity to present evidence at the hearing and may be assisted or represented by one or more individuals including an attorney.

The school district will make its decision in writing within a reasonable time after a hearing, basing its decision solely on the evidence presented at the hearing and including a summary of the evidence and reasons for its decision. If the hearing decision is that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the school district will amend the information and inform the parent in writing. If the hearing decision is that the information will not be amended, the parents have the right to place a statement in the education record setting forth reasons for disagreeing with the hearing decision. Any such explanation placed in the records of a child will be maintained as long as the records of the child are maintained and will be disclosed whenever the records are disclosed to any party.

The school district will inform parents when personally identifiable information is no longer needed to provide educational services to a child. Such information must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and telephone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. "Destruction" of records means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

The school district will provide, upon request, a listing of the types and locations of educational records maintained, the school officials, responsible for these records and the school personnel authorized to see personally identifiable information. Such personnel receive training and instruction regarding confidentiality. The school district keeps record of parties obtaining access to education records, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

The confidentiality policy is posted in each record location. The school district will provide a copy of its confidentiality policy upon request. Complaints may be filed with the Director of Pupil Services, Northern Potter School District. If resolution is not reached, a hearing will be held. If resolution is not then reached complaints may be filed with the Family and Educational Rights and Privacy Act Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20201.