

## 5500 STUDENT RECORDS

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. As part of this responsibility, eligible students and parents/guardians will have the right to inspect and review education records, the right to seek to amend education records and the right to have some control over the disclosure of information from the education record in accordance with law.

The Board of Education also recognizes its responsibility concerning the orderly retention and disposition of the School District's student records. The School District will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor. The School District will document requests for and release of records, and retain the documentation in accordance with law.

### Definitions

*Authorized Representative:* an authorized representative is any individual or entity designated by a State or local educational authority or a Federal agency headed by the Secretary, the Comptroller General or the Attorney General to carry out audits, evaluations or enforcement or compliance activities relating to educational programs.

*Education Record:* means those records, in any format, directly related to the student and maintained by the School District or by a party acting on behalf of the School District, except:

- (a) records in the sole possession of the individual who made it and not accessible or revealed to any other person except a substitute;
- (b) records of the School District's law enforcement right;
- (c) records of treatment created or maintained by a physician, psychiatrist, psychologist or other professional/paraprofessional acting that capacity.

*Eligible student:* a student who has reached the age of eighteen (18) or its attending postsecondary school.

*Legitimate educational interest:* a school official has legitimate educational interest if they need to review a student's records in order to fulfill his or her professional responsibilities.

*Personally identifiable information:* is information that would allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Such data might include social security number, student identification number, parents' name and/or address, a biometric record, etc.

*School official:* a person who has a legitimate education interest in a student record who is employed by the School District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the School District has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official performing his or her tasks.

### Annual Notification

At the beginning of each school year, the School District will publish a notification that informs parents, guardians and students currently in attendance of their rights under FERPA and the procedures for exercising those rights. This notice may be published in a newspaper, handbook, the School District's website or other school bulletin or publication. This notice will also be provided to parents, guardians, and students who enroll during the school year.

The notice will include a statement that the parent/guardian or eligible student has a right to:

1. inspect and review the student's education records;
2. request that records be amended to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy rights;
3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. file a complaint with the United States Department of Education alleging failure of the School District to comply with FERPA and its regulations.

The annual notice will also inform parents/guardians and students:

1. that it is the School District's policy to disclose personally identifiable information from student records, without consent, to other school officials within the School District whom the School District has determined to have legitimate educational

interests.

2. that, upon request, the School District will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. that personally identifiable information will be released to third party authorized representatives for the purposes of educational program audit, evaluation, enforcement or compliance purposes.
4. that the School District, at its discretion, releases directory information (see definition below) without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent.
5. that, upon request, the School District will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parent or secondary school student exercises their right to prohibit release of the information without prior written consent.
6. of the procedure for exercising the right to inspect, review and request amendment of student records.

The School District will provide translations of this notice, where necessary and to the extent practicable, to parents, guardians and students in their native language or dominant mode of communication. In the absence of the parent or secondary school student exercising their right to opt out of the release of information to the military, the School District is required to, under federal law, release the information indicated in number five (5) above.

#### Directory Information

The School District has the option under FERPA of designating certain categories of student information as "directory information." The Board of Education directs that "directory information" include a student's:

- name
- address
- degrees and awards received
- photographs

Under no circumstances will social security numbers or other personally identifiable information be considered directory information. Students who opt out of having directory information shared are still required to have their student ID cards with them at all times that they are on school grounds or attending a school-sponsored event.

Once the proper FERPA notification is given by the School District, a parent/guardian or eligible student will have fourteen (14) days to notify the School District of any objections they have to any of the "directory information" designations. If no objection is received, the School District may release this information without prior approval of the parent/guardian or eligible student for the release. Once the eligible student or parent/guardian provides the "opt-out," it will remain in effect after the student is no longer enrolled in the School District. The School District may elect to provide a single notice regarding both directory information and information disclosed to military recruiters and institutions of higher education.

#### Ref:

Family Educational Rights and Privacy Act, [20 USC 1232g](#); [34 CFR Part 99](#)

No Child Left Behind Act, [20 USC §7908](#) (Military Recruiter Access)

[10 USC §503](#) as amended by §544 of the National Defense Reauthorization Law §225

[Public Officers Law §87\(2\)\(a\)](#)

[Arts and Cultural Affairs Law, Article 57-A](#)

[8 NYCRR 185.12](#) (Appendix I) Records Retention and Disposition, Schedule ED-1

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**Syosset Central School District**

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