

Notification of Parent and Student Rights under the Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("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 after the day the Diamond R-IV School District receives a request for access.

Parents or eligible students who wish to inspect their student's or their education records should submit to the school principal a written request that identifies the records 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 to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the district to amend their child's or their education record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. 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 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 provide written consent before the school discloses personally identifiable information (PII) from 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. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official may also include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically 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, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. NOTE: FERPA requires a school or school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request or the disclosure is initiated by the parent or eligible student.

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 contact information of the Office that administers FERPA is:

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

Process for Parents and Students to Opt Out of the Disclosure of Directory Information under FERPA

The Family Educational Rights and Privacy Act (FERPA) requires that the Diamond R-IV School District obtains your written consent prior to the disclosure of personally identifiable information (PII) from your child's education records, with some exceptions. However, the district may disclose appropriately designated "directory information" without written consent, unless you have notified the district in writing of your objection. "Directory information" is information that the district has determined is generally not considered harmful or an invasion of privacy if it is released.

The primary purpose of directory information is to allow the district to include information from your child's education records in district publications, including but not limited to, a student's name, jersey number, height and/or weight printed in a school athletic program; or a student's name and photo included on district social media pages or in the school yearbook.

Directory information may also be disclosed to outside organizations without a parent's prior written consent. Some examples include the district providing a list of honor roll students to the local newspaper or the district providing student information to companies that manufacture class rings or publish yearbooks.

In addition, two additional federal laws require the school 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 their prior written consent.

If you do not want the district to disclose contact information to military recruiters or directory information from your child's education records without your prior written consent, you must complete a written statement notifying the district that you do not want the information released and submit it to the building principal. The statement must be dated and signed. Please provide this notice in writing by August 28, 2020. Please note that if you opt your student out of directory information, your student's picture will not be included in the district's yearbook or other publications and your student's name will not appear in district programs or the honor roll.

General Directory Information: The following information about a personally identifiable student may be disclosed to the school community or to any person without first obtaining written consent from a parent or eligible student:

Student's name; date and place of birth; parents' names; grade level; enrollment status (e.g., full-time or part-time); student identification number; user identification or other unique personal identifier used by the student for the purposes of accessing or communicating in electronic systems as long as that information alone cannot be used to access protected educational records; participation in district-sponsored or district-recognized activities and sports; weight and height of members of athletic teams; athletic performance data; dates of attendance; degrees, honors and awards received; artwork or course work displayed by the district; schools or school districts previously attended; and photographs, videotapes, digital images and recorded sound unless such records would be considered harmful or an invasion of privacy.

Limited Directory Information: In addition to general directory information, the following information about a personally identifiable student may be disclosed to parent groups or booster clubs that are recognized by the Board and are created solely to work with the district, its staff, students and parents and to raise funds for district activities; parents of other students enrolled in the same school as the student whose information is released; students enrolled in the same school as the student whose information is released; governmental entities including, but not limited to, law enforcement, the juvenile office, and the Children's Division (CD) of the Department of Social Services:

The student's address, telephone number and email address and the parents' addresses, telephone numbers and email addresses.

Student Information and Images in Recorded Classes, District Publications and Social Media

The district maintains a number of publications and social media accounts to better communicate with students, parents, and the community. Further, due to the COVID-19 pandemic, the district is recording instruction in some classes to assist the instruction of students attending virtually. Unless the parent or eligible student notifies the district in writing as directed under the section "Process for Parents and Students to Opt Out of the Disclosure of Directory Information under FERPA," the district may include pictures and information about a student in district publications and posts on social media. Even if a parent objects to the disclosure of directory information, when a student's image is included in a photograph or video as part of a crowd shot where the focus of the image is not on that particular student, the student's image may still be included in a district publication or social media post, or video recording.