

StudentsNotification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents or guardians and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

1. The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access.

Parents or guardians 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 guardian 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 guardian or eligible student believes are inaccurate or misleading **at the time the record was created**.

Parents or guardians or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write to 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 guardian or eligible student, the District will notify the parent or guardian 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 guardian 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 **or otherwise allowed by law**. 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 guardian 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,

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

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:

U.S. Department of Education
Student Privacy Policy Office
400 Maryland Avenue, S.W.
Washington, D.C. 20202-8520

Notice Concerning Directory Information

The District may disclose directory information. **The primary purpose of directory information is to allow the District to include information from your child's education records in certain school publications. Examples include:**

1. A playbill, showing your student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs; and,
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Under FERPA, "directory information" is generally not considered harmful or an invasion of privacy if released and can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that **manufacture class rings or publish yearbooks.** The types of personally identifiable information that the District has designated as directory information are as follows:

1. Student's name, address, telephone **listing number**, and the name, address, telephone **listings number (if not unlisted)**, e-mail address and **work or** other contact information of the student's parent or guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student's current grade;
4. Student's enrollment status (e.g. full-time or part-time);
- ~~5. Student's date of birth and place of birth;~~
6. Student's extracurricular participation;
7. Student's achievement awards or honors;
8. Student's weight and height if a member of an athletic team; **and,**
9. Student's photograph; **and,**
- ~~10. School or school district the student attended before he or she enrolled in Scottsbluff Public Schools.~~

Notwithstanding the foregoing, the District does not designate as directory information personally identifiable information from students' education records where the District determines that the disclosure to the potential recipient poses a risk to student safety or well-

being, including but not limited to circumstances where the potential recipient is a registered sex offender and the personally identifiable information would permit the potential recipient to communicate with or otherwise contact the student, ~~or would otherwise not be in a student's best interests.~~

A parent or guardian or eligible student has the right to refuse to let the District designate information about the student as directory information. ~~Parents or guardians may refuse to allow their student's information to be designated as "directory information" at any time during the school year, so long as the parent or guardian notifies the Superintendent in writing. The period of time within which a parent or guardian or eligible student has to notify the District in writing that he or she does not want information about the student designated as directory information is as follows: two weeks from the time this information is first received. Please contact the District's office to indicate your refusal to have your child's information designated as directory information. The District may disclose information about former students without meeting the conditions in this section.~~

Notice Concerning Designation of Law Enforcement Unit

The District designates the Scottsbluff Police Department as the District's "law enforcement unit" for purposes of:

1. Enforcing any and all federal, state, or local law;
2. Maintaining the physical security and safety of the schools in the District; and,
3. Maintaining safe and drug-free schools.

Legal Reference: [20 U.S.C. 1232g](#)
[34 CFR 99.31](#)

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