

Access to Student Educational Records – A Parental Guide

Protecting the Privacy of Student Information

Family Education Rights and Privacy Act (FERPA)

Most information about Carson Montessori School students cannot be made public without the consent of parents or guardians. Federal law prohibits schools or the district from releasing information without permission, except for what is termed “directory information” (defined below).

According to the Federal Family Educational Rights and Privacy Act of 1974 (FERPA), directory information about students may be released by the district without parental consent, provided annual notification has been given and the school does not have on file written denial to release directory information. However, schools do use discretion when they receive requests for directory information and will not release such information if it is the principal’s judgment that releasing such information would not be in the best interest of the student.

Parents/guardians or students 18 years of age or older who do not want any or all categories of directory information released without their prior consent must notify the school principal in writing no later than OCTOBER 1. If no written denial to release directory information without prior consent is received by OCTOBER 1, the school will assume that consent has been given.

The School’s policies on access to student information are in compliance with FERPA and Nevada Revised Statute (NRS) 392.029 of the 1997 legislative session.

What is general directory information?

Certain information is made available to most other individuals only with parental written permission. Activities such as awards, scholarships, college/technical school information and various school publications such as yearbooks and athletic programs, however, require the use of some general information about students. Such information is called **general directory information**.

Examples of **general directory information** are:

- name,
- address,
- telephone listing,
- electronic mail address
- date and place of birth,
- photographs
- participation in officially recognized activities and sports
- field of study
- weight and height of athletes
- enrollment status
- degrees and awards received
- dates of attendance
- most recent previous school attended
- grade level

Parents have the right to see any documents or materials directly related to their children that are kept within the school offices.

Who may obtain such information?

- All parents and legal guardians. In the case of divorce, custodial and non-custodial parents have access to the child’s record, unless a legally binding document declares differently.
- Children over the age of 18, emancipated minors, or those attending post-secondary institutions.
- School officials, parent volunteers or researchers working with the District or Nevada Department of Education with a legitimate educational interest.
- School officials in a district to which the child intends to transfer.
- Individuals connected with a health or safety emergency.

- In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without prior written consent.

May parents see results of tests given their child?

Parents have the right to review results from academic, standardized, or psychological tests. If the test itself is kept in the child’s records, parents may look at it, if allowed by the NRS.

Can the school legally refuse to show parents any records?

Personal notes kept by a teacher, principal, psychologist, or other school employee for the sole use of that person are not considered part of the child’s record. Such personal notes are not retained in the cumulative record.

How do parents look at such information?

Ask! Schools will make an appointment for parents to review their child’s educational records. Schools have forty-five (45) days to schedule the appointment, but most schools act immediately.

- Parents have a right to an explanation of any forms, test scores, or educational language that they don’t understand. If the principal or the appropriate school staff member is not available to answer questions, the parents should schedule a meeting in advance at a more appropriate time.
- When asking to see their child’s records, parents with limited English proficiency may ask the school to provide a translator for the meeting.

What is the procedure for challenging school records?

Each parent has the right to challenge information in the records which is believed to be inaccurate, misleading, or in violation of a student’s rights. The parent may request that information be amended or removed from the file.

- A written request to change the record must be made indicating the challenged aspect of the record and specifying why that aspect of the record is believed to be inaccurate, misleading, or in violation of the student’s rights.
- The school principal and appropriate staff, as needed, determines whether to change the record.
- The parent must be notified of the decision. If the principal does not agree that the record needs to be changed, the parent has the right to place a written statement in the record explaining the reasons why he/she disagrees, or the parent may request a hearing to consider changing the record. • If a hearing is requested, the hearing officer will review and consider documented evidence about the record and render a ruling.
- If the change to the record is denied, the parent has the right to place a written statement in the record explaining the reasons for his/her disagreement.

Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents and eligible students certain rights regarding the district’s conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Inspect **instructional materials** that will be used in connection with a U.S. Department of Education (USDE) funded or public school program administered survey, analysis or evaluation in which their children or the pupils participate; and
- Give **written parental consent** before minor students are required to participate in USDE funded or public school program administered survey, analysis or evaluation that reveals information concerning:
 1. Political affiliations;
 2. Mental and psychological problems potentially embarrassing to the student and his/her family;
 3. Sex behavior and attitudes;
 4. Illegal, antisocial, self-incriminating and demeaning behavior;
 5. Critical appraisals of other individuals with whom respondents have close family relationships;
 6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians administrators;
 7. Religious practices, affiliations or beliefs; or
 8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

For additional information on FERPA or PPRA, contact the School Coordinator:

Jessica Daniels
Principal/Director
or
Christina Saenz
Director of Business & Finance
Carson Montessori School
2263 Mouton Drive
Carson City, NV 89706
Phone: (775) 887-9500

Parents/eligible students who believe their rights may have been violated may file a complaint by writing or phoning the Family Policy Compliance Office:

Family Policy and Compliance Office
400 Maryland Avenue, SW
Washington, DC 20202-4605
Phone: (202) 260-3887