

# Notification of Rights under FERPA for Schools

District: \_\_\_\_\_ Date: \_\_\_\_\_

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 [Name of school ("School")] receives a request for access.

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

Parents or eligible students who wish to ask the [School] to amend their child's or their education record should write the school principal [or appropriate school official], 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 also may 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.

[Optional] 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 [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as “directory information” if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student’s case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

# 根据《FERPA》规定的学校权利通知

学区： \_\_\_\_\_ 日期： \_\_\_\_\_

《家庭教育权利和隐私法》（FERPA）为年满 18 岁或以上的父母和学生（“合格学生”）提供了与学生的教育记录有关的某些权利。这些权利是：

1. 有权在[Name of school（“学校”）]收到拜访请求之日起 45 天内检查和审查学生的教育记录。

家长或符合条件的学生如欲查阅子女或教育纪录，应向校长[或适当的学校官员]提交书面申请，注明他们希望查阅的纪录。学校官员将安排访问，并通知家长或符合条件的学生可以检查记录的时间和地点。

2. 有权要求修改家长或符合条件的学生认为不准确、误导或以其他方式侵犯学生在 FERPA 下的隐私权的学生教育记录。

家长或符合条件的学生如欲要求[School]修改子女或教育记录，应写明校长[or appropriate school official]，清楚注明他们希望更改的记录部分，并说明更改原因。如果学校决定不按照家长或符合条件的学生的要求修改记录，学校将通知家长或符合条件的学生该决定以及他们有权就修改请求举行听证会。有关听证会程序的其他信息将在被告知听证会权利后提供给家长或符合条件的学生。

3. 在学校披露学生教育记录中的个人身份信息（PII）之前，有权提供书面同意，除非 FERPA 在未经同意的情况下授权披露。

有一种例外情况允许不经过同意披露是向具有合法教育利益的学校官员披露。而确定谁构成学校官员以及什么构成合法教育利益的标准必须在学校或学区的 FERPA 权利年度通知中有所规定。学校官员通常包括受雇于学校或学区担任行政人员、校长、讲师或支持人员（包括卫生或医务人员和执法部门人员）或在学校董事会任职的人员。学校官员还可以包括志愿者、承包方或顾问，他们虽然不受雇于学校，但执行学校将使用自己的员工的机构服务或职能，并且在学校的直接控制下使用和维护教育记录中的 PII，例如律师、审计师、医疗顾问或治疗师；自愿在官方委员会（如纪律或申诉委员会）任职的家长或学生；或协助其他学校官员执行任务的家长，学生或其他志愿者。如果学校官员需要审查教育记录以履行其专业责任，则该官员通常具有合法的教育利益。

[Optional]学校按照要求在未经同意的情况下向学生有意向或打算入学或已经入学的其他学校或学区的官员披露教育记录以帮助学生实现入学或转学目的。[请注意：FERPA 要求学校或学区做出合理的尝试，将记录请求通知家长或学生，除非其年度通知中声明其打算根据请求转走记录，或者该披露请求是由家长或符合条件的学生发起的。

4. 有权就[School]未能遵守 FERPA 的要求向美国教育部提出投诉。管理 FERPA 的办公室的名称和地址是：

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

如果披露符合 FERPA 法规 § 99.31 中的某些条件的话, FERPA 允许从学生的教育记录中披露 PII, 而无需父母或符合条件的学生的同意。除了向学校官员披露、与某些司法命令或合法发出的传票有关的披露、目录信息的披露以及向家长或符合条件的学生披露外, FERPA 法规 § 99.32 要求学校记录披露。家长和符合条件的学生有权检查和审查披露记录。学校可披露学生教育记录中的个人身份信息, 而毋须事先征得家长或合资格学生的书面同意 -

- 学校确定的具有合法教育利益的教育机构或机构内的其他学校官员, 包括教师。这包括承包方、顾问、志愿者或学校外包机构服务或职能的其他各方, 前提是满足§ 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3)中列出的条件。(§ 99.31(a)(1))
- 向学生寻求或打算入学的其他学校、学校系统或高等教育机构的官员披露, 如果披露是为了与学生的入学或转学有关的目的, 则学生已经入学, 但须遵守§ 99.34 的要求。(§ 99.31(a)(2))
- 美国检察总署、美国司法部长、美国教育部长或州和地方教育当局(如母校或符合条件的学生所在州的州教育机构(SEA))的授权代表。根据§ 99.35 的要求, 可以根据本条规定进行披露, 以审计或评估联邦或州支持的教育计划, 或执行或遵守与这些计划相关的联邦法律要求。如果满足适用要求, 这些实体可以进一步向外部实体披露 PII, 这些实体被指定为其授权代表, 代表他们进行任何审计、评估、执行或合规活动。(§§ 99.31(a)(3) 以及 99.35)
- 关于学生已经申请或学生已经收到的经济补助, 如果该信息对于确定补助资格, 确定补助金额, 确定补助条件或执行补助条款和条件是必要的。(§ 99.31(a)(4))
- 根据§ 99.38 的规定, 州法规明确允许向其报告或披露信息的州和地方官员或当局, 该法规涉及少年司法系统以及该系统在裁决之前有效服务记录被释放的学生的能力。(§ 99.31(a)(5))
- 为学校或代表学校进行研究的组织, 以便: (a) 开发、验证或管理预测性测试; (b) 管理学生补助方案; 或 (c) 如果满足适用的要求, 则进一步说明。(§ 99.31(a)(6))
- 认可机构履行认证职能。(§ 99.31(a)(7))
- 符合条件的学生的家长, 如果该学生是 IRS 税目的的受抚养人。(§ 99.31(a)(8))
- 遵守司法命令或合法发出的传票(如果满足适用要求的话)。(§ 99.31(a)(9))
- 根据§ 99.36 的规定, 与健康或安全紧急情况有关的适宜的官员。(§ 99.31(a)(10))
- 如果符合§ 99.37 所规定的适用要求, 学校已指定为“目录信息”的信息。(§ 99.31(a)(11))

- 根据州或部落法律，如果该机构或组织在法律上负责照顾和保护寄养安置的学生，则有权访问学生的案例工作者或州或地方儿童福利机构或部落组织的其他代表。(20 U.S.C. § 1232g(b)(1)(L))
- 在某些条件下，向农业部长或食品和营养服务局的授权代表披露，以便对根据《Richard B. Russell 国家学校午餐法》或 1966 年《儿童营养法》授权的计划进行计划监测、评估和绩效衡量。(20 U.S.C. § 1232g(b)(1)(K))