

## **GRIMMWAY SCHOOLS FAMILY EDUCATION RIGHTS AND PRIVACY ACT (“FERPA”)**

### *NOTIFICATION OF RIGHTS UNDER FERPA*

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 5 business days after the day Grimmway Schools receives a request for access. Parents or eligible students should submit to the Grimmway Schools Principal, or designee, a written request that identifies the record(s) they wish to inspect.
2. The Principal or designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
3. 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.
4. Parents or eligible students who wish to ask Grimmway Schools to amend a record should write the Grimmway Schools Principal or designee, clearly identify the part of the record they want changed, and specify why it should be changed. If Grimmway Schools decides not to amend the record as requested by the parent or eligible student, Grimmway Schools 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.
5. The right to provide written consent before Grimmway Schools discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
6. One exception, which permits disclosure without consent, is disclosure to School officials with legitimate educational interests. A School official is a person employed by Grimmway Schools 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 Grimmway Schools Board of Directors. A School official also may include a volunteer or contractor outside of Grimmway Schools who performs an institutional service or function for which Grimmway Schools would otherwise use its own employees and who is under the direct control of Grimmway Schools 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 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, Grimmway Schools discloses education records without consent to officials of another 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 that Grimmway Schools will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

7. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Grimmway Schools to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy  
Compliance Office  
U.S. Department of Education

400 Maryland  
Avenue, SW  
Washington, DC  
20202

8. 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 Grimmway Schools to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. Grimmway Schools 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 Grimmway Schools 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)(2) 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 in the parent or eligible student's State (SEA). 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. (§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 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. (§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. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information Grimmway Schools has designated as "directory information" under §99.37. (§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)).

“Directory Information” is information that is generally not considered harmful or an invasion of privacy if released. Directory Information can 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 year books. Grimmway Schools has designated the following information as directory information:

- Student’s name
- Student’s address
- Parent/Guardian’s address
- Telephone listing
- Student’s electronic mail address
- Parent/Guardian’s electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended; and
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

If you do not want Grimmway Schools to disclose directory information from your child’s education records without your prior written consent, you must notify Grimmway Schools in writing within 10 days of enrollment.

Please notify:

**Joanna Kendrick**

Principal

Grimmway Schools Shafter

(661) 630-7220

[jkendrick@grimmwayschools.org](mailto:jkendrick@grimmwayschools.org)

**Hurshel Williams**

Principal

Grimmway Schools Arvin

(661)855-8200

[hwilliams@grimmwayschools.org](mailto:hwilliams@grimmwayschools.org)

**FAMILY EDUCATION RIGHTS AND PRIVACY ACT ("FERPA")  
DIRECTORY INFORMATION OPT-OUT FORM 2019-2020**

**Student's Name:** \_\_\_\_\_ **Today's Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**SSN#:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **State :** \_\_\_\_ **Zip :** \_\_\_\_\_

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Grimmway Schools, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from a student's education records. However, Grimmway Schools may disclose the categories of information designated by Grimmway Schools as "directory information" without prior written consent. The information listed below has been designated as "directory information" by Grimmway Schools and may therefore be released at the discretion of Grimmway Schools. You may request that Grimmway Schools not release this "directory information" without obtaining your prior written consent by completing this FERPA Directory Information Opt-Out Form. Your request to withhold "directory information" is valid for the current school year. A new FERPA Directory Information Opt-Out Form must be completed each school year.

Please place a checkmark in the box beside the categories of "directory information" listed below that you do not want Grimmway Schools to disclose without your consent:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended; and Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

By signing below, I am giving written notification to Grimmway Schools that it may not disclose the categories of "directory information" that I have marked above unless I give prior written consent. I understand that such information may still be disclosed by Grimmway Schools if disclosure is otherwise permissible under FERPA.

Student Name (please print): \_\_\_\_\_

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**\*\*\*If this form is not returned by August 16, 2019 or within 10 days of enrollment (whichever date is later), it will be assumed that the above information may be disclosed as "directory information" for the current school year. \***