



**The Public Schools of Brookline**  
**Family Educational Rights and Privacy Act (FERPA)**  
**Parent/Guardian Annual Notice**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, 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 as follows:

1. The right to inspect and review the student's education records within 45 days after the day student's school or district receives a request for access.

Parents or eligible students should submit to the school principal or headmaster 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 or district to amend a record should write the school principal or headmaster, 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. A school official is a person employed by the school 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 or contractor outside of the school who performs an institutional service of 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 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 also 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. The Public Schools of Brookline will forward student records on request unless notified in writing to the principal or headmaster not to do so prior to the student's enrollment in the new school.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Public Schools of Brookline or any of its 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**

## **Disclosure of Personally Identifiable Information without Consent**

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)(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 the school has designated as "directory information" under §99.37. (§99.31(a)(11))

### **Further information regarding FERPA can be found at:**

General Information: <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Guidance for Parents: <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/for-parents.pdf>

Orientación para los padres: <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/for-parents-spanish.pdf>

## **Directory Information**

The Family Educational Rights and Privacy Act (FERPA) allows the Public Schools of Brookline (“District”) to release certain information about students without parental consent, provided that annual notification has been given and the school does not have on file written denial to release this directory information. Directory information is information that is generally not considered harmful or an invasion of privacy if released.

The primary purpose of directory information is to allow the District to celebrate the accomplishments of its students by sharing information with the community. This may take the form of, among other things, press releases to the local media, public announcements at School Committee meetings, and the posting of information on social media (including Twitter, Facebook, and official district websites).

### **The Public Schools of Brookline has identified the following information as directory information:**

- Student’s name, address, email address, and parent’s telephone number
- Participation in officially recognized activities and sports
- Height and weight of members of athletic teams
- Degrees, honors, and awards received
- Student’s district id number (this cannot be used to access education records and is primarily used as an identifier for such things as surveys or library cards)
- Dates of attendance/enrollment
- Grade level
- Most recent school attended

### **Examples of District uses of directory information include:**

- A playbill, showing your student’s role in a drama production;
- The annual yearbook;
- Honor roll, awards, or other recognition lists;
- Graduation programs; or
- Sports activity sheets or athletic team rosters.

Directory information 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, colleges and universities, and scholarship providers. Additionally, the Federal *Elementary and Secondary Education Act* requires the District to provide all branches of the military with names, addresses, and telephone listings for students unless parents/guardians have advised that they do not want this information disclosed for this purpose.

If you do not want the Public Schools of Brookline to disclose directory information from your child’s education records without your prior written consent, you must notify the District in writing. Please complete the following form and return it to:

**Public Schools of Brookline**  
**Department of Research & Accountability**  
**333 Washington Street, 5<sup>th</sup> Floor**  
**Brookline, MA 02445**



THE PUBLIC SCHOOLS OF BROOKLINE  
 333 WASHINGTON STREET  
 5<sup>th</sup> FLOOR  
 BROOKLINE, MASSACHUSETTS 02445  
 TEL: 617-730-2401

**DIRECTORY INFORMATION OPT-OUT FORM**

Student's Last Name	_____	First Name	_____
Student's School	_____	Grade Level	_____
Parent/Guardian Name	_____	Date	____ / ____ / ____

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***If you agree to allow the Public Schools of Brookline to release directory information about your student, you do not need to do anything.***

**If you prefer to deny release of your student's directory information, please complete the form and return it to the Public Schools of Brookline.**

By signing and returning this form to the Public Schools of Brookline, I formally state that I do not grant permission to the District or my child's school to release directory information for my student as follows:

- Do not include in the school directory
- Do not release to US Military (Army, Navy, Air Force, Marines, Coast Guard, etc)
- Do not release to colleges and other educational institutions
- Do not release to scholarship providers
- Do not release to the media (including newspapers – both online and print)
- Do not include in District-sponsored publications (yearbook, graduation program, athletic rosters, etc)
- Do not post on the District's social media

The request to withhold directory information will be in effect from the date it is received by the school or District until the date your student graduates or otherwise leaves the Public Schools of Brookline. You may change your preferences at any time by submitting a new form.

<i>Parent/Guardian Signature</i>		<i>Date</i>