

Access to Student Educational Records – A Parental Guide Protecting the Privacy of Student Information

Family Education Rights and Privacy Act (FERPA)

Most information about Academy for Career Education (ACE) students cannot be made public without the consent of parents or guardians. Federal law prohibits schools 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 school 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.

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 media releases, 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
- field of study
- enrollment status
- degrees and awards received
- dates of enrollment
- 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 ACE.

Who may obtain such information?

- All parents and legal guardians. In the case of divorce, custodial and noncustodial 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 our sponsoring District or Nevada Department of Education with a legitimate educational interest.
- School officials in a district or school 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 (or students) have advised the LEA in writing that they do not want the student's information disclosed without prior written consent, by completing the form in the registration packet.

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?

Parents need only 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.

- 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.

How can an individual obtain school records, if he/she is no longer enrolled at ACE?

ACE requires written authorization of the parent to release student records if the student is under 18 years of age. After a former student is 18 years of age or older, records can be released only with his/her written consent.

The information needed to locate records shall include the student's legal name, when enrolled in ACE, date of birth, and the last year of attendance.

Photocopy charges are \$3.00 per health record and per transcript, if the individual is no longer enrolled at ACE.

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 submitted to the Principal. The written request must indicate the challenged aspect of the record and specify why that aspect of the record is believed to be inaccurate, misleading, or in violation of the student's rights. Supporting evidence must be submitted with the written request.
- The Principal and appropriate staff, as needed, determines whether or not to change the record.
- Parents will be notified in writing within 15 school days of the decision. If the Principal does not agree that the record needs to be changed, parents will be notified of their right to a hearing. The request for a hearing must be made within 10 school days of receipt of the Principal's letter.
- If a hearing is requested, the Principal and the Board President shall hold a hearing within 30 working days and issue a written decision within 10 working days. The Board President's decision is final.
- If the change to the record is denied, parents have the right to place a written statement in the record explaining the reasons for their disagreement.

Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents and eligible students certain rights regarding the school's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to inspect and consent or opt out of:

- The administration of surveys that contain questions from one or more of eight protected areas:
 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 and ministers;
 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).
- Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing.
- Any non-emergency, invasive physical examination or screening.

For additional information on FERPA, PPRA, or Special Education contact the Principal:

Silvia Marin, Principal
2800 Vassar Street
Reno, NV 89502
Phone: (775) 324-3900

The state department:

Nevada Department of Education
700 East Fifth Street
Carson City, Nevada 89710
Phone: (775) 687-9181

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