



## **Annual FERPA Notification School Year 2023-24**

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:**

The right to inspect and review your child's education records within 45 days after the JCC/First Foot Forward Preschool receives your request.

- You should submit a written request that identifies the record(s) you wish to inspect.
- Your child's school will notify you of the time and place where you may inspect the records.

The right to request changes to your child's education records when you believe they are inaccurate, misleading, or violate your child's privacy rights under FERPA.

- You should make requests to amend records in writing, and identify what you want changed and the reason for doing so.
- If the JCC/First Foot Forward decides not to amend records as requested, you will be notified of the decision, and of your right to a hearing and certain hearing procedures.

The right to provide written consent before personally identifiable information in your child's education records is disclosed. However, in certain cases, FERPA allows disclosure without consent. Cases permitting disclosure without consent include:

- Disclosure to school officials who need to review education records to fulfill their professional responsibilities. School officials include:
- 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.

The right to file a complaint with the USDOE if you believe the NYC DOE failed to comply with FERPA's requirements. Complaints may be filed here:

- Student Privacy Policy Office
  - U.S. Department of Education
  - 400 Maryland Avenue
  - SW Washington, DC 20202-8520
- or by email to [FERPA.Complaints@ed.gov](mailto:FERPA.Complaints@ed.gov)

FERPA permits the disclosure of PII (personal identifiable information) 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 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 accredit 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))

## **Opting Out**

If you do not want the school to disclose directory information from your child's education records to any parties for any purposes, other than those required by law, without your prior written consent, you must notify us in writing by the first day of the school year.

In addition, please send an email to **Dolores Currier** (dcurrier@sijcc.com) for the purpose of updating the student's information. Ms. Dolores will confirm receipt of your email. Please include your child's name, and school.

Parents and eligible students may not, by opting out of disclosure of directory information, prevent a school from:

- 1) Disclosing or requiring a student to disclose the student's name, identifier, or school email address (if any) in a class in which the student is enrolled; or
- 2) Requiring a student to wear or present a student identification card or a badge that displays information that may be directory information.