

REVIEW OF EDUCATION RECORDS

Parents and eligible students have the right to inspect and review the child's education records within 45 days of the day we receive a written request. Inspection and review means in-person review, or, if circumstances prevent an in-person review, photocopies may be provided. We may charge a fee for copies, unless that fee prevents the parent or eligible student from exercising their right to inspect and review the education records. The Superintendent or designee may establish a schedule of fees representing a reasonable cost for reproduction.

Procedure:

To review the child's records, complete an **Authorization for Release of Information** form and submit it to your building principal. We will make arrangements for access and notify you when and where the records will be available for inspection and viewing.

AMENDMENT OF EDUCATION RECORDS

Parents and eligible students have the right to request an amendment of the student's education records that they believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Procedure:

To request to amend an educational record, complete a **Request to Amend Educational Records** form and submit it to your building principal. The school district shall, within fifteen school days of receipt of the request, decide whether to amend the record as requested. If a decision is made not to amend the record as requested, we will notify the requestor in writing of the decision and advise the requestor of the right to request a hearing to challenge the decision. Further information about hearing requests and procedures is contained in the Regulation to Board Policy 5220.

CONSENT PRIOR TO RELEASE; EXCEPTIONS

Parents and eligible students have the right to consent, prior to disclosure by the school district, of personally identifiable information ("PII") contained in the student's education records, **except** when FERPA (20 U.S.C 1232g) and its regulations (34 C.F.R. 99.3 et seq.) authorize disclosure by us without consent. Disclosure of PII from the student's educational records may occur, **without consent**, in situations such as (but are not limited to):

1. To "School Officials" of Westside Community Schools

A School Official includes any of the following when that person has a *legitimate educational interest* in having access to the information:

- a. Any administrator, certified staff member, or support staff member (including health, medical, safety, and security staff) employed by the school district;
- b. A school board member;
- c. A contractor, consultant, volunteer, or other party to whom the school district has outsourced services or functions, such as (but not limited to) an attorney, auditor, cloud storage

provider, consultant, expert witness,
hearing officer, investigator, insurer/insurance company adjuster,
investigator, or any other claims
representative, medical providers or consultants, or counselors/therapists,
provided that the person is
performing a service or function for which the school district would
otherwise use employees, is under the
direct control of the school district with respect to the use and maintenance
of education records, and is
subject to FERPA requirements governing the use and re-disclosure of PII
from education records;

d. A person serving on a committee appointed by the school board or by the
administration of the school
district, such as a disciplinary or grievance committee or other review
committee.

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.

2. To School Officials of Other Schools

We will disclose education records to officials of other public or private schools or post-secondary institutions in which a student seeks or intends to enroll, or is already enrolled, upon request of that school. Education records provided to any such entity shall include disciplinary records involving any suspension or expulsion and may include discipline records for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. A parent or eligible student shall, upon request, be provided a copy of the records disclosed, and may contest the content of the educational records by following the procedures contained in the "Amendment of Education Records" section above.

3. Other Disclosures That May be Made Without Consent (See [Policy 5220](#) for a complete description of disclosures)

- In compliance with subpoenas and court orders
- To an agency caseworker or other representative of a state or local child welfare agency or tribal organization
- In litigation between the school district and a parent or student
- In the event of a health or safety emergency
- To organizations conducting studies for, or on behalf of, the school district
- Audits or evaluations by state or federal officials
- To accrediting organizations
- To any "parent" as defined by FERPA
- When allowed or required to be reported concerning the juvenile justice system

Notification of Disclosure of Directory Information

Another exception to the requirement that parents or eligible students consent to disclosure of their student's educational records is when the information is "Directory Information." Directory Information is information from a student's education record of a

student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory Information may be, but is not required to be, disclosed by the school district. The following items are designated by Westside Community Schools as "directory" information:

- Student's name, address and telephone number
- Student's school e-mail address
- Photographs - including use of student photographs of students in school district publications, school district social media, on the school district's website, and to news media
- Video/film of student when filmed by the District for educational purposes or for promotional use, and film by news media
- Date and place of birth
- Major field of study
- Dates student became enrolled/dis-enrolled in this school district, enrollment status, and 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 school or school district attended prior to Westside Community Schools
- Class lists

Notwithstanding the foregoing, the school district does not designate as "directory information" any of the above items when and if we determine, in our sole discretion, that the circumstances are such that disclosure of the information could pose a risk to student safety or well-being or has the potential to be considered harmful or an invasion of privacy by the parent or student if disclosure was allowed.

Circumstances when directory information may, in the discretion of the school district, be disclosed to the public include, but are not limited to:

- School district publications, such as newsletters, calendars, newspapers, event programs, communications, announcements, and news releases
- School district websites, digital publications and social media (Facebook, Twitter, etc.)
- Print, television and broadcast media
- Honor roll and other school achievements, awards and recognitions
- Programs/playbills showing a student's role in a school activity or production
- Yearbooks and class photos
- Graduation programs/ school programs
- Sports activity sheets and publications, including weight and height of team members
- Disclosure to outside organizations, such as (but not limited to) those that provide school-related products and services, such as yearbooks, class rings, etc.
- Military recruiters and institutions of higher learning for 11th and 12th grade students to the extent required by law
- Organizations that operate solely to support Westside Community Schools, such as school Community Clubs, booster clubs, support groups, and the Westside Foundation.

Lists of student names, addresses, phone numbers and e-mail addresses will not be disclosed to political candidates or elected office holder, political parties, or any person or organization involved with a political issue or issue related to the qualification, passage, or defeat of a ballot question. Such information will not be disclosed to commercial entities (other than for school-related purposes), nor will it be provided to any non-profit or non-commercial organization, company or group, other than groups that operate solely to support Westside Community Schools, or as required or permitted by law, such as to military recruiters.

Opting-Out of Disclosure of Directory Information

Parents or eligible students have the right to opt-out of disclosure of any or all of the information that Westside Community Schools has designated as Directory Information, and may also submit an opt-out limited to prohibiting disclosure to military recruiters. Opt-out forms are effective for the school year in which they are submitted.

In order to opt-out you must submit a written Denial of Permission form, which can be obtained from the principal's office at the elementary schools, and from the guidance offices at the middle school and high school. It is also available for printing by clicking on this link: **Opt Out of Directory Information** form. High school students wishing to limit opt-out only for disclosure to military recruitment and/or institutions of higher learning must complete the Military/Higher Ed Opt-Out form available at Westside High School **Military/Higher Ed Opt Out** form.

Opt-Out forms must be submitted to the principal's office for elementary students, and to the school guidance offices for students attending the middle school or high school, within the time frame specified on the form. Forms submitted after the due date will be accepted, however some information may have already been disseminated or submitted for printing and will not be able to be changed or removed.

Opting-out of disclosure may not be used to impede routine classroom communications and interactions. For instance, opting-out does not prevent the school district from disclosing or requiring a student to disclose the student's name, school e-mail address, or electronic identifier on school grounds, and does not prevent the school district from requiring a student to maintain and present upon request a student ID card.

Procedures for Students Who Are No Longer Enrolled

The school district may disclose directory information about students no longer enrolled in Westside Community Schools without providing notice as otherwise required and without providing an additional opt-out opportunity. However, if an opt-out request was in place as of the last day of the student's enrollment, the opt-out request will continue in effect and the directory information will not be disclosed.

Procedures Regarding Requests for Education Records of Deceased Students

Directory Information may be disclosed by the school district regarding a student who is deceased, unless an opt-out request was in place as of the last day of the student's enrollment in which case the opt-out request will continue in effect. The school district will disclose education record information other than directory information of a deceased

student only if consent is given in writing by the personal representative or other legally authorized representative of the deceased student's estate, or if some other exception in FERPA permits disclosure. If a personal representative or other legally authorized representative has not yet been appointed or is no longer functioning in that capacity, consent must be given by the student's parent, or if married at the time of death, by the deceased student's widow/widower, or by a child of the student provided the child is age 18 or older.

CONCERNS, QUESTIONS OR COMPLAINTS

If you have a complaint or a concern or question about any of the above rights, we encourage you to first contact and discuss it with your school's principal, or if you prefer, to contact the Coordinator of Student Services at the ABC Building, 909 So. 76th St. Omaha, NE (402) 390-2150. Our hope is to provide answers to whatever questions or concerns that you have.

You also have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Westside Community Schools to comply with the requirements of FERPA. The name and address of the Office that administers FERPA:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901