

July 2023

### Annual Notification

- The Family Educational Rights and Privacy Act (FERPA)
- The Protection of Pupil Rights Amendment (PPRA)

The Family Educational Rights and Privacy Act (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 45 days of the day the District receives a request for access.**

Parents or eligible students should submit to the school principal or Director of Special Education a written request that identifies the record(s) they wish to inspect. The District 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 District to amend their child’s or their education record should write the school principal or Director of Special Education, clearly identify the part of the record they want changed, and specify why it should be changed. If the District official decides not to amend the record as requested by the parent or eligible student, the District 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 consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**

a. 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 District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the District Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student

serving on an official committee, such as a disciplinary or grievance committee, or assisting another District 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.

b. FERPA also authorizes the release of “directory information” without prior consent, unless the parent/guardian or eligible student (age 18 or older) requests, in writing, that directory information not be disclosed. The District considers the following information “directory information”:

- Student’s name
- Student’s address
- Telephone number (s)
- Email address(es)
- Student’s date and place of birth
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance (“from and to” dates of enrollment)
- Degrees, honors, and awards received
- Date of graduation
- Grade level
- The most recent educational agency or institution attended.

Photographs and video/digital images are also considered to be “directory information” by the District. Videotapes, digital movies and/or photographs may be shared with the public through, for example, public media outlets, the District newsletters, reports, website and other District communications, unless the parent/guardian or eligible student requests, in writing, that videotapes, digital movies or photographs of the student not be publicized.

About disclosure of directory information to military recruiters and institutions of higher education:

Two federal laws require the District to provide military recruiters and institutions of higher education, upon request, with three directory information categories of its secondary students: names, addresses and telephone numbers, unless parents or eligible students have advised the District that they do not want this information disclosed without their prior written consent.

If you do not want directory information released:

Those parents/guardians or eligible students who do not want directory information released and/or do not want videotapes, digital movies, images and/or photographs published and/or do not want the limited release of directory information to military recruiters and/or institutions of higher education, must **notify the District Communications Office in writing by October 1 of the school year** regarding the desired limitations on release of directory information. The address for the Communications Office is 29 East Oneida Street, Baldwinsville, NY 13027.

c. The District, as authorized by FERPA, discloses personally identifiable student information without consent to other schools, school systems or institutions of

postsecondary education in which a student seeks or intends to enroll or that are providing services to the student, upon receiving a request from any such institution. Parents/guardians or eligible students can receive a copy of all information disclosed upon request.

**(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Baldwinsville Central School District to comply with the requirements of FERPA.**

The name and address of the office that administers FERPA is: Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

**The Protection of Pupil Rights Amendment (PPRA)**

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights with respect to the conduct of surveys, analyses, or evaluations that are funded in whole or in part by the United States Department of Education (DOE). These rights include:

A. The right to consent before students are required to submit to a survey that is funded in whole or in part by a program of the DOE, which concerns one or more of the following protected areas (protected information survey):

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

B. The right of the parent and eligible student to receive notice and an opportunity to opt-out of:

1. Any other protected information survey, regardless of funding;
2. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling or otherwise providing that information to others for marketing or sales purposes; and
3. Any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or of other students.

The right to receive notice and an opportunity to opt-out does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

- College or other postsecondary education recruitment, or military recruitment;
- Book clubs, magazines, and programs providing access to low-cost literary products;

- Curriculum and instructional materials used by elementary and secondary students;
- Tests and assessments used by elementary and secondary students to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or generate other statistically useful data for the purpose of securing such tests and assessments) and subsequent analysis and public release of the aggregate data from such tests and assessments;
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- The sale by students of products or services to raise funds for school-related or education- related activities; or
- Student recognition programs.

In addition, the opportunity to opt-out of physical examinations and/or screenings does not apply to physical exams or screenings for hearing, vision, or scoliosis, or any other physical examinations or screenings that are permitted or required by state law.

C. The right to inspect, upon request and before administration or use the following:

- Protected information surveys of students;
- Instruments used to collect personal information from students for the purpose of marketing or selling that information; and
- Instructional material used as part of the educational curriculum for the student.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The district has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The district will directly notify parents of these policies at least annually at the start of each school year and after making any substantive changes to such policies. The district will also directly notify parents of students scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The district will make this notification to parents at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- The collection, disclosure or use of personal information for marketing, sales or other distribution;
- The administration of any protected information survey not funded in whole or in part by the DOE; and
- Any non-emergency, invasive physical examination or screening as described above.

Parents and eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
 U.S. Department of Education  
 400 Maryland Avenue,  
 SW Washington, DC 2020

Dear Parents/Guardians,

The Baldwinsville Central School District often features images of students, usually identified by name, school and grade, in district publications (including, but not limited to the calendar, website, district newsletters, posters, and on the district's Facebook, Twitter, and Instagram pages). We also share images of students with the local media (including, but not limited to newspapers and television stations and their websites and social media sites).

If you **DO NOT WANT** your child's image to be taken and used by the district or local media during the current school year, please fill out this opt-out form and return to Public Information Specialist Sarah Buckshot, Baldwinsville Central School District Office, 29 East Oneida Street, Baldwinsville, NY 13027. Please be sure to include each child's name and the school that he/she attends. **THIS REQUEST MUST BE MADE EVERY YEAR.**

Please note that school yearbooks are internal publications and are not subject to these restrictions. If you do not want your child's name/image in the school yearbook, please contact your principal.

**If you DO NOT RETURN this form, the district will assume that YOU GIVE PERMISSION for your child(ren) to be photographed as well as identified by name, school and grade in district publications for the current school year, as well as shared with the media.**

If you have questions, please contact Sarah Buckshot at 315-638-6180 or [sbuckshot@bville.org](mailto:sbuckshot@bville.org)

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Parent/Guardian Permission Opt-Out Form

I, \_\_\_\_\_, parent/guardian of  
\_\_\_\_\_, student at  
\_\_\_\_\_ School,

**DO NOT** give permission to the Baldwinsville Central School District to release or publish my child's image, directory information, or student work in any collection during the 2023-2024 school year.

**DO NOT** give permission to the Baldwinsville Central School District to release my child's name, address, and telephone number to the United States Armed Forces. (10th-12th Grade Students Only)

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

**Return by October 1, 2023 to:**

Public Information Specialist  
Sarah Buckshot  
Baldwinsville Central School District  
29 East Oneida Street  
Baldwinsville, NY 13027