

## SEATTLE PUBLIC SCHOOLS (SPS) – NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) and OPT-OUT FORM

Under the Family Educational Rights and Privacy Act (FERPA), parents/guardians of students under age 18, and students over 18 years of age (“eligible students”) have certain rights with respect to the student “education records.” If the student is 18 years old, even if living with the parent/guardian, the student has all the rights under this Act. These rights are:

- (1) The right to inspect and review their education records within 45 days of the day SPS receives a written request.
- (2) The right to request the amendment of an education record for a student that the parent or eligible student believes is inaccurate, misleading, or is in violation of the student’s right to privacy. If SPS decides not to amend the record, SPS will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian 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 contained in the education records of a student, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A “school official” is a person employed by SPS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel). A “school official” also may include a volunteer or contractor outside of the school who performs an institutional service or function for this 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 personally identifiable information 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, SPS discloses education records without consent to officials of another school where a student seeks to enroll.
- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by SPS to comply with the requirements of FERPA. Written complaints should be directed to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W., Washington, DC 20202.

**Directory Information:** Under FERPA, SPS may release “directory” information to anyone, including but not limited to parent-teacher organizations, the media, colleges and universities, the military, youth groups, and scholarship grantors, unless you notify SPS in writing that you do not want the information released. The following information is considered directory information: parent/guardian and student name, home address, home telephone number, home email address, student photograph, student date of birth, dates of enrollment, grade level, enrollment status, degree or award received, major field of study, participation in officially recognized activities and sports teams, height and weight of athletes, most recent school or program attended, and other information that would not generally be considered harmful or an invasion of privacy if disclosed.

### **Release of Directory Information for Students in Grades Nine to Twelve (9-12)**

As a parent/guardian of a high school student or an eligible student (reached 18 years of age), you have the right to choose between three (3) options on whether directory information concerning your student is released or not. Once this form is completed and returned to the school, your choice will be electronically recorded and will not change until you complete and submit a new form. If you previously turned in this form to a District school while enrolled in kindergarten to eighth grade, your prior choice will not change until you complete and submit a new form.

The United States military requests and is entitled to the names, telephone numbers, and addresses of “secondary school students,” unless the parent/guardian or eligible student checks either box B or C. The military typically requests this information in October of each academic year. If you do not want information to be released to the military, you **must** check box B or C and return this form by **October 1<sup>st</sup>** in order to ensure that your selection is recorded in time. If you do not want information to go to colleges, employers, parent groups, or the military you must check box B.

Parents/guardians of high school students and eligible high school students are encouraged to remember that checking Box B or C means that SPS will not release directory information to the military. However, it does not mean that the military might not gather student information from other, non-school district sources. Additionally, checking Box B or C does not prevent military recruiters from speaking with your student when the recruiter is on campus.

Please check one box below and return this form to the school your student attends no later than **October 1st**. If the parent/guardian or eligible student does not check one of the boxes or does not return the form, SPS considers the lack of response as consent for box A.

**For students in grades Nine to Twelve (9-12):**

Please mark only one box:

- A.  I consent to the release of the above directory information about the student named below.
- B.  I do **NOT** consent to the release of the above directory information about the student named below, except as authorized by law. No information to colleges, parent groups, the military, or employers.
- C.  I consent to the release of the above directory information about the student named below, **except information about this student may NOT be released to the military.**

Notice of Right to File a Public Records Request:

Pursuant to RCW 28A.320.160, school districts are required to notify parents/guardians that they have the right, under the Washington Public Records Act (RCW 42.56), to request the public records regarding school employee discipline. To file a public records request with SPS, send a written request, in writing, to: Office of the General Counsel: Attn: Public Records Request; SPS: MS 32-151; PO Box 34165; Seattle, WA 98124, or fax your request to (206) 252-0111.

\_\_\_\_\_  
**PRINT** Signer's Full Name

\_\_\_\_\_  
**PRINT** Student's Full Name

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Student's School ID number

\_\_\_\_\_  
Parent/Guardian/Eligible Student's Signature

\_\_\_\_\_  
Date

**PLEASE RETURN THIS FORM DIRECTLY TO THE STUDENT'S SCHOOL  
EITHER IN PERSON OR BY U.S. MAIL.**

If you have more than one student, you must return a separate form for each student to each student's school.  
This form will be retained in your student's folder at his or her school.



August 2012

High School Students:

Federal law now gives you the right to opt-out of having your name, phone number, and address released to the military.

If you **DO NOT WANT** Seattle Public Schools to release your information to the military, please sign this form and return it to the main office at your school.

This form **MUST** be returned by October 1<sup>st</sup> to make sure that your information is not released to the military.

This form only relates to releasing information to the military—if you or your family does not want your information released to other individuals or organizations, you must **ALSO return the opt-out form (the “FERPA” form) that you received in your first day packet.** That opt-out form relates to releasing your information to other people, and that form still must be signed by your parent or guardian (or you, if you are at least age 18) to be valid.

You may turn this form in at any time, but information is usually requested and released to the military in October of each year.

\_\_\_\_\_  
Student's Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Signature