

## 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 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 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 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 Pre-Kindergarten to Eight (Pre-K to 8):** As a parent/guardian of a pre-kindergarten student, an elementary student, or a middle school student you have the right to choose between two (2) options on whether directory information concerning your student is released or not. Please check one box below and return this form to the school your student attends no later than October 1, a new form may be submitted in a given school year to change your option status for that year. If the parent/guardian does not check one of the boxes or does not return this form, SPS considers the lack of response as consent for box A. A new form may be submitted in a given school year to change your option status for that year.

**For students in grades Pre-Kindergarten through Eight (Pre-K to 8):**

Please select **only one** box:

A. I consent to the release of the above directory information about the student named below.

OR

B. I do NOT consent to the release of the above directory information about the student named below, except as authorized by law.

**The following selections only need to be made if you selected Option B. If you selected Option B – No Release of Information, your child’s information will not be included in the following *unless you complete the section below*. If you would like your child’s information shared in any of the below places, please indicate your consent below by selecting the appropriate option.**

**School Directory and Classroom Roster** Is made available to our families, staff and PTSA. YES, Include our information (**phone, address, email**)

**Photo/Video** Student photographs and video may be posted on the school and district external website, social media and district printed publications. No names will be posted. YES, my student’s photograph and video can be posted on the district channels.

**Yearbook/Class Photo Release** YES, I give my consent for my student’s photograph and name to be included in the yearbook and class photo

<b>Print Student’s Name</b>	<b>Date of Birth</b>	<b>Student’s school ID number</b>
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<b>Print Signer’s Name</b>	<b>Parent/Guardian/Eligible Student’s Signature</b>	<b>Date</b>
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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

**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.