

THE SUMMIT CENTER
150 Stahl Road, Getzville, NY 14068
(716) 629-3400

Notification of Rights under FERPA Regarding Family Rights and Privacy
And Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("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, unless otherwise limited by court order or other legally binding instrument, within 45 days (for preschool and school age children) or 10 days (for Early Intervention children) of the day Summit receives a request for access.

Parents or eligible students should submit to the Records Room Clerk a written request (please call number above for form) that identifies the record(s) they wish to inspect. The Records Room Clerk 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 may ask Summit to amend a record that they believe is inaccurate. They should write the Records Room Clerk at the address above and clearly identify the part of the record they want changed, and specify why it should be changed. If Summit decides not to amend the record as requested by the parent or eligible student, Summit will notify the parent 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 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 (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

There are exceptions which allow for disclosure without consent. One exception is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, QA staff or support staff member (including health, medical staff) or a person serving on the Board of Directors. 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 PII from education records, such as an attorney, auditor, medical consultant, health/vision screener 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, Summit discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by Summit 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 20202-5901

Family Educational Rights and Privacy Act (FERPA) Notice for Directory Information

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that Summit, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Summit may disclose appropriately designated "directory information" without written consent, to any person unless you have advised Summit to the contrary in accordance with Summit procedures. The primary purpose of directory information is to allow Summit to include information from your child's education records in certain school publications. Examples include:

- The annual yearbook (hard copy or online);
- Honor roll or other recognition lists; and
- Graduation programs;

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings, take formal photos for parents to purchase, publish yearbooks and *SchoolMessenger™* to provide notification regarding school closings and events, etc.

If you do not want Summit to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, **you must notify Summit in writing within ten (10) days of receipt of this notice.** Summit has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.