



**Hamburg Central School District
Annual Notification of Rights under FERPA**

The Family Education Rights and Privacy Act (“FERPA”) affords parent(s)/guardian(s) and students over 18 years of age (“eligible students”) certain rights with respect to students’ education records. These rights are:

1. The right to inspect and review the student’s education records within forty-five (45) days after the date the Hamburg Central School District (“the District”) receives a written request for access. Parent(s)/guardian(s) or eligible students should submit to the Building Principal of the school where the student is enrolled or was previously enrolled] a written request that identifies the record(s) they wish to inspect. The Building Principal or his/her designee 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(s)/guardian(s) or eligible student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Parent(s)/guardian(s) or eligible students who wish to ask the District to amend the student’s education record should make the request in writing to the Building Principal and clearly identify the part of the record they want changed. The written request should also specify the reasons why the record should be changed. If the District decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the District will notify the parent(s)/guardian(s) 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(s)/guardian(s) 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.

One such exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official includes 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 school board; or a person or company with whom the school has contracted to perform 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 the maintenance of PII 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/her professional responsibility.

The District will also disclose education records without consent to officials of another school, school district, or institution of postsecondary education where the student seeks or intends to enroll, upon request of the school, school district, or institution of postsecondary education.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Directory Information Notice

The Family Educational Rights and Privacy Act (“FERPA”), a Federal law, requires that the Hamburg Central School District (“the District”), with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, the District may disclose appropriately designated “directory information” without written consent, unless you have advised the District to the contrary in accordance with the procedures set forth below. Directory information is defined as “information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.” 34 C.F.R. § 99.3. The primary purpose of directory information is to allow the District to include certain information from your child’s education records in various school publications. Examples include:

- A playbill, showing your student’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information 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 or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want the District to disclose directory information from your child’s education records without your prior written consent, you must notify the Building Principal in writing by November 21, 2021. You may also opt-out for publications on the District website using the available form on hamburgschools.org (See Community > Forms (Public) > Website Opt-Out Forms). Once received by the District, the website opt-out remains in effect until revoked in writing by the parent(s)/guardian(s). The District has designated the following information as directory information:

- Student's name;
- Address;
- Telephone number;
- Electronic mail address;
- Date of birth;
- Enrollment status;
- Grade level and major field of study;
- Participation in school clubs, activities, and sports;
- Weight and height of members of athletic teams;
- Dates of attendance;
- Honors, degrees, and awards received;
- Photo or video; and
- The most recent educational agency or institution attended.

The District may also, without prior parent consent, grant media access to students for interviews, photographs/videotaping/recording and use or release student-created works for publicity purposes.

If you have any questions regarding this notice, please contact the Superintendent's Office at 716-646-3200.