



**RIO RANCHO
PUBLIC SCHOOLS**

Igniting Student Potential

**NOTIFICATION OF RIGHTS FOR RIO RANCHO PUBLIC SCHOOLS
(RRPS) ELEMENTARY AND SECONDARY SCHOOLS:
2019-20 SCHOOL YEAR**

GENERAL RIGHTS UNDER FERPA: The federal Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older or are enrolled in a postsecondary school ("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 after the day the Principal of your student's school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
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 school to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school 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 provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA and 34 CFR 99.31 authorize disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by RRPS 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*

EXCEPTIONS TO DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION (PII) WITHOUT PRIOR CONSENT: 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 school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of 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, 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, the school may disclose education records without consent to officials of another school or 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. Rio Rancho Public Schools (RRPS) will forward these records on request without notifying a parent or eligible student unless the parent or eligible student has notified the Principal in writing within fifteen (15) days of publication of this notice, or fifteen days of enrollment (whichever is later) that prior written consent is necessary.

PII can also be disclosed under Public Education Department regulations, without prior notification or consent, to outside organizations for legitimate educational purposes. "Legitimate educational purposes" are defined as educational opportunities, services and/or information offered or provided by accredited educational entities or professional educational organizations.

DIRECTORY INFORMATION: RRPS may disclose appropriately designated "directory information" without written consent, unless a parent or eligible student has advised the school to the contrary in accordance with RRPS District procedures. Directory information is information that is generally not considered harmful or an invasion of privacy if released. The primary purpose of directory information is to allow RRPS to include this type of information from student education records in certain school and district publications. Examples include:

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

For the 2019-2020 school year, RRPS has designated the following information as directory information:

1. Student's name
2. Grade in school;
3. Name of school;
4. Eligibility and participation in officially recognized activities, including but not limited to fine arts exhibits, performing arts programs, other performances, graduation programs and sports events;
5. Weight and height of members of athletic teams;
6. Honors and awards received;
7. Yearbooks; and
8. Identification in visual media, including photographs, videotapes, and visual images, depicting school programs or activities.
9. A student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating 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 personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

In addition, two federal laws require RRPS, which receives 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 RRPS that they do not want their student's information disclosed without their prior written consent. ¹

If you do not want RRPS to disclose directory information from your student's education records, information for legitimate educational purposes or military recruiters, without your prior written consent, you must notify the principal of the school where the records are kept in writing within fifteen (15) days of publication of this notice or within fifteen (15) days of enrollment, whichever is later. The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received within the applicable fifteen (15) day period, the information will be classified as directory information until the beginning of the next school year.

A complete list of disclosures of directory information and PII that the school may make without parental consent is on the RRPS website (rrps.net) and available at the school principal's office.

GENERAL RIGHTS UNDER PPRA: The federal Protection of Pupil Rights Amendment (PPRA) affords parents and eligible students, including students who are emancipated under state law, certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

¹ These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.

- Receive notice and an opportunity to opt a student out of:
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

- Inspect, upon request and before administration or use:
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

RRPS has 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. RRPS will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. RRPS will also directly notify, such as through U.S. Mail or email, parents of students who are 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. RRPS 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.

RRPS administers an annual "Student Safety and Satisfaction Survey" to a random sample of students in grades 5-12 that includes questions related to area 4 above. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of planned activities and surveys listed below and will 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:

1. Collection, disclosure, or use of personal information for marketing, sales or other distribution.
2. Administration of any protected information survey not funded in whole or in part by ED.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with: *Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W. Washington, D.C. 20202-5901.*

TEACHER AND INSTRUCTIONAL SUPPORT PROVIDER QUALIFICATIONS: Title I Part A, Section 1112 (e)(1)(B)(ii) of the federal *Every Student Succeeds Act* (ESSA) affords parents the right to request information about the licensure and other qualifications, teaching assignment, and training of their children's teachers and/or other instructional support providers. Questions about teacher and staff qualifications should be directed to Dr. Susan Passell, Rio Rancho Public Schools Executive Director of Human Resources, 500 Laser Rd. NE, Rio Rancho, NM, 87124, (505) 896-0667 ext. 51136.