

*"where excellence lives"*

\_\_\_\_\_  
Volunteer Name

\_\_\_\_\_  
Department or Team

\_\_\_\_\_  
School or Building

**BENTONVILLE SCHOOLS  
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

FERPA is the acronym for the Family Educational Rights and Privacy Act. The act was codified in 1974. The purpose of the Act is to assure parents of students...access to their education records, and to protect such individuals' rights to privacy by limiting the transferability of their records without their consent. Even today FERPA is sometimes referred to as the Buckley Amendment, in honor of its sponsor Senator James Buckley.

The Act grants three basic rights to parents or eligible students (age 18 or over):

- Right to inspect and review the education records relating to the student and maintained by the schools the child attends or has attended.
- Right to challenge and require the school to amend any portion of the education records concerning the student that are inaccurate, misleading or otherwise in violation of the student's privacy rights.
- The right to require the school to obtain written consent prior to the disclosure of personally identifiable information.

Education records includes those records, files, documents, and other materials which contain information directly related to a student; and are maintained by an educational agency or institution or by a person acting for such agency or institution. That is simply information that relates to, or concerns, just the student, such as an A in a course. Personally identifiable information includes, but is not limited to:

- Student's name
- Name of student's parent or other family member
- Address of student or student's family
- Personal identifier, such as the student's social security number or student number
- List of personal characteristics that would make the student's identity easily traceable

Parents lose their FERPA rights when their child turns 18, or starts attending college (or any postsecondary institution), if that happens first.

**I have read and understand the above information.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**BENTONVILLE SCHOOLS  
CONFIDENTIALITY OF INFORMATION UNDER THE IDEA**

This public agency is required to obtain parental written consent before personally identifiable information from a child's education record is:

- Disclosed to anyone other than officials of participating agencies collecting or using the information. Participating agencies are those agencies which have legitimate educational interests in the child and may include, but are not limited to, various federal, state and local agencies, officials/authorities.
- Used for any purpose other than meeting a federal or state requirement regarding data collection, overall program compliance monitoring and audit, accreditation, general supervision, studies conducted for or on behalf of educational agencies or institutions, compliance with a judicial order or lawfully issued subpoena, disclosure in connection with application for receipt of financial aid, a health or safety emergency, or directory information.

Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used under IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

The public agency is responsible for protecting the confidentiality of a child's education records by:

1. Permitting parents to see only that information which relates to their own child when records contain information on more than one child.
2. Requiring parental consent before child's education records are given to anyone not involved in child's education.
3. Requiring parental consent before using child's records for any purposes other than those related to providing special education and related services.
4. Not releasing information from education records to participating agencies without parental consent unless authorized to do so under federal law and regulations.
5. Adhering to state policies and procedures which apply in the event parent declines to give this consent and that the public agency feels the records should be given to the person who requested them. These procedures could allow the public agency to send copies of the records to the requesting person or agency, under certain circumstances, despite parental objection.
6. Protecting the confidentiality of personally identifiable information at collections, storage, disclosure and destruction stages.
7. Assigning an individual who is responsible for ensuring the confidentiality of records.
8. Guaranteeing that all persons who collect or use such information receive training in the State's policies and procedures regarding confidentiality.
9. Keeping for public inspection a list of names and positions of those employees who are permitted access to these records.
10. Informing parents when confidential information is no longer needed to provide education services to the child.
11. Destroying information at parental request. However, a permanent record of a student's name, address and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

**I have read and understand the above information.**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**