



*Beach Haven School District*  
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*It is the mission of the Beach Haven Board of Education and the Beach Haven Elementary School District to provide pupils with an education which allows them to experience appropriate high expectations, allowing them to become caring, responsible citizens, ultimately having the skills necessary to solve complex problems, and the desire to strive for excellence as life-long learners.*

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## **FERPA**

Under the Family Educational Rights and Privacy Act (FERPA), a school must annually notify parents of their rights under FERPA, which can be done via the district's website. Parents have a right to inspect and review their child's education records, the right to seek to amend the records, the right to consent to disclosure of personally identifiable information (PII) from the records (except in certain circumstances), and the right to file a complaint with the Student Privacy Policy Office (SPPO) in the U.S. Department of Education (Department) regarding an alleged failure by a school to comply with FERPA. Per code, the school's criteria for the terms "school official" and "legitimate educational interest" are outlined below: *School Official*: FERPA allows "school officials," including teachers, within the school to obtain access to PII from education records without consent, provided that the school has determined the officials have a "legitimate educational interest" in the information. The school's annual notification of rights under FERPA must specify the criteria for determining who constitutes a "school official" and what the school considers to be a "legitimate educational interest." Typically, 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.

Also, under the "school officials" exception to the consent requirement, FERPA permits a school to disclose education records to contractors (e.g., software/application vendors, lawyers), consultants (e.g., nutritional or information technology consultants), volunteers (e.g., home room parent volunteers, field trip chaperones, student volunteers), or other third parties to whom the school has outsourced institutional services or functions, provided that the outside party:

1. Performs an institutional service or function for which the school would otherwise use employees;
2. Is under the direct control of the school with respect to the use and maintenance of education records;
3. Is subject to the requirements in FERPA that PII from education records may be used only for the purposes for which the disclosure was made, and which govern the redisclosure of PII from education records; and
4. Meets the criteria specified in the school's annual notification of FERPA rights for being a school official with a legitimate educational interest in the education records.