

**EAST
RUTHERFORD
BOARD OF EDUCATION**

**East
Rutherford
School District**

Board of Education
and
Administrative
Offices

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EAST
RUTHERFORD
SCHOOL
DISTRICT

**The Family
Educational Rights
and**

Privacy Act (FERPA)

**Protection of Pupil Rights Amendment
(PPRA)**



Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents certain rights with respect to a student's educational records. These rights are:

(1) The right to inspect and review a student's educational records within forty-five (45) days of the day the school receives a request for access.

Parents should submit, to the school principal [or appropriate school official], a written request that identifies the record they wish to inspect. The school official will make arrangements for access and notify the parent(s) of the time and place where the record may be inspected.

(2)The right to request the amendment of a student’s educational record(s) that the parent(s) believes are inaccurate, misleading or otherwise in violation of a student’s privacy rights under FERPA.

A parent(s) who wish to ask the school to amend a record should write the school principal [or appropriate school official], and 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, the school will notify the parent(s) of the decision and advise them of their right to a hearing regarding the request for amendment of the records.

(3)The right to consent to disclosures of personally identifiable information contained in the student’s educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his/her professional responsibility. *Note: The East Rutherford School District will disclose, upon request, educational records without consent to school officials of another school district in which a student seeks or intends to enroll.*

(4)The right to file a complaint with the U.S. Department of Education concerning alleged failures by the East Rutherford School District to comply with the requirements of FERPA.

Notification of Rights under the Protection of Pupil Rights Amendment (PPRA)

The PPRA affords parents certain rights regarding a school’s conduct of surveys, collection and use of information for marketing purposes and certain physical examinations. These include the right to:

- (1) **Consent** before a student is required to submit to a survey that concerns one or more of the following protected areas: political affiliations or beliefs of the student or parent; mental or psychological problems of the student or family; sexual behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of others; legally recognized privileged relationships (doctor, lawyer or minister); religious practices, affiliations or beliefs of the student or parent; and, income (other than what is required for eligibility purposes).
- (2) **Receive notice and an opportunity to opt out of:** surveys; any non-emergency, invasive physical examination or screening 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 New Jersey State law; and, activities involving collection, disclosure or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- (3) **Inspect upon request and before administration or use:** information surveys of students; instruments used to collect personal information from students for any marketing, sales or other distribution purposes; and, instructional material used as part of the educational curriculum and/or instructional program.

Parents who believe that their rights have been violated may file a complaint with Office that administers FERPA and PPRA.

U.S. Department of Education
Family Policy Compliance Office

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Washington, D.C. 20202-5920