

Annual Notification of Your Rights under FERPA*

As a parent/guardian of a MCPS student, you have certain rights regarding your child's education records under the *Family Educational Rights and Privacy Act (FERPA)*, applicable federal regulations, and the *Code of Maryland Regulations (COMAR) 13A.08.02*. These rights are summarized below and described in more detail in Montgomery County Public Schools (MCPS) Regulation JOA-RA, *Student Records*, www.montgomeryschoolsmd.org/departments/policy/pdf/joara.pdf.

1. Review of Student Records. You have the right to inspect and review your child's education records no later than 45 days after the school receives your written request. It is the goal of MCPS that schools should comply, whenever practicable, within 10 days after receiving a written request and prior to any hearing relating to the identification, evaluation, or placement of the student. The school will make arrangements for access and notify you of the time and place where your child's records may be inspected. The principal/designee will be present during this review.

2. Amendment of Student Records. If you believe your child's records are inaccurate, misleading, or in violation of your child's privacy rights, you have a right to make a written request for the school to amend the records. MCPS Regulation JOA-RA, *Student Records*, outlines procedures for addressing these requests including hearings, as appropriate. Grades are not subject to challenge under this provision.

3. Disclosure of Student Records. You have the right to provide written consent before MCPS discloses personally identifiable information from your child's education records, unless federal law or state law specifically authorizes disclosure without consent. Guidelines for release of directory information, as well as the opportunity to opt-out from this release, are referenced on the other side of this form. In addition, please note that consent is not required for disclosures to school officials with legitimate educational interests,** including administrators, teachers, or other staff employed by MCPS, as well as others acting on behalf of MCPS who need access to fulfill their job responsibilities, such as: School Health Services Staff and other health professionals who work with schools; school security personnel; a Montgomery County Board of Education member; a person, organization, or company under contract with MCPS to perform a service or function for which MCPS would otherwise use its own employees (such as attorneys or auditors); or a parent/guardian or other volunteer serving on a MCPS committee or helping other school officials perform their tasks.

- Upon request, MCPS also discloses education records without consent to officials of other schools, school districts, or institutions of postsecondary education, if the disclosure is for purposes of the student's enrollment in or transfer to that school, school district, or institution of postsecondary education. In addition, MCPS may lawfully disclose personally identifiable information from student records, without your prior written consent, for other reasons authorized by FERPA, including to specified governmental agencies, for approved research projects, in compliance with a judicial order or a lawfully issued subpoena, or in a health or safety emergency.

- Additional information may be found in MCPS Regulation JOA-RA, *Student Records*, available on the MCPS website or at your local school.

4. Complaint to the U.S. Department of Education. If you believe your rights under FERPA have been violated and efforts to resolve the situation through MCPS appeals channels have not proved satisfactory, you have the right to file a complaint with the Family Policy Compliance Office in the U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920 or call 1-800-USA-LEARN (1-800-872-5327).

* Rights of Eligible Students. The rights described above transfer to a student who is 18 years old or is attending a postsecondary education institution; parents/guardians of dependent eligible students, however, may access their child's records without prior consent of the eligible student.

** School officials have a legitimate educational interest if the officials need to review an education record in order to fulfill their professional responsibility.