CITY SCHOOL DISTRICT OF NEW ROCHELLE
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NEW ROCHELLE, NEW YORK 10801-3416

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ANNUAL NOTIFICATION

● FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT
● PROTECTION OF PUPIL RIGHTS AMENDMENT

Dear Parents and Eligible Students[1]:

We are writing to advise you of your rights with respect to: (a) school records; (b) the administration and use of certain survey instruments; and (c) physical examinations and screenings. This notification is required by federal law.

A. Access to, Correction of and Release of Student Records (Family Educational Rights and Privacy Act)

In accordance with the Family Educational Rights and Privacy Act, the City School District of New Rochelle has adopted a **Student Record Policy** to assure that parents and eligible students have the right to access information contained in the student's records and to assure, further, that parents and eligible students can limit disclosure of certain information from these records. An eligible student is a student who is 18 years old or a legally emancipated minor, in which case the rights described in this notification are transferred from the parent to the student. The rights accorded to parents and eligible students under the School District's policy are set out below:

1. Parents and eligible students have the right to inspect and review the student's education records within 15 days of the day a request for access is made. Requests may be addressed to the Principal of the school the student currently attends, and the Principal will make arrangements for inspection at a specific time and place.

2. The School District will not release information contained in a student's education record without prior written consent of the parent or eligible student, except under those limited circumstances as permitted by the Family Educational Rights and Privacy Act. The School District will release such information without prior notice or consent to school officials who have a legitimate educational interest in obtaining

[1] An "eligible student" is a student or former student who has reached the age of eighteen or is attending a post-secondary school.

access to them in order to perform their professional responsibilities.[2] In addition, the School District will forward education records (including student disciplinary records) without prior notice or consent in response to a request received from another school in which a student seeks to enroll.

3. The School District will also release "directory information" without prior written consent. "Directory information" is personally-identifiable information that would not be likely to invade the privacy of a parent or eligible student if disclosed. It includes the student's name and address, dates of attendance, participation in officially recognized activities and sports, diplomas and awards received, the present and the most recent previous educational institutions attended, and photographs or video depicting students at school activities or events. Such directory information may be released (among other forms of release) in school publications, and in media print, electronic and broadcast outlets. The release of "directory information" is subject to the following two limitations:

a. In no event will "directory information" be released if the School District determines that the information will be used for commercial or fundraising purposes.

b. You may notify the School District that you do not consent to the release of "directory information." To do so, please complete the attached Permission Opt-Out form and return it to the main office of your child's school by October 7, 2021. Your request will be effective through this academic year and must be renewed annually.

4. A parent or eligible student may ask the School District to correct (amend) any part of the student's education record which is believed to be inaccurate, misleading or in violation of the student's rights. Such requests should be addressed in the first instance in writing to the Principal of the school the student currently attends, should clearly identify the portion(s) of the record which is requested to be changed, and should specify why the record is believed to be inaccurate, misleading or in violation of the student's rights.

5. In case of disagreement with the School District as to the appropriateness of an education record as to which a correction has been requested, the parent or eligible student will be notified of the School District's decision and of the right to a request for a hearing by sending a written request to the School District addressed to Dr. Jackielyn Manning Campbell, Assistant Superintendent for Student Support Services, 515 North Avenue, New Rochelle, New York 10801. Upon receipt of such a request, the School District will furnish additional information regarding the hearing procedures.

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[2] A "school official" is a person employed by the School District as an administrator, supervisor, instructor, or support staff member; a person serving on the Board of Education; a person or entity with whom the School District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); a parent or student serving on an official committee (such as a disciplinary or grievance committee, or a Committee on Special Education); and a person assisting another school official in performing his or her responsibilities.

6. A parent or eligible student may also file a complaint with the United States Department of Education if he or she believes that the School District has violated the Family Educational Rights and Privacy Act with respect to his or her record. Complaints should be addressed as follows:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605

7. Please note that school systems periodically receive requests from the United States Armed Forces, pursuant to the "No Child Left Behind Act of 2001," for the names, addresses and telephone numbers of 11th and 12th grade students so that branches of the military can send students information about education, technical training and financial benefits available upon enlistment in the military. The School District will provide such information in response to such requests unless the parent or eligible student withholds consent to such release. To withhold consent, please complete the attached Permission Opt-Out form and return it to the main office of your child's school by October 7, 2021. Your request will be effective through this academic year and must be renewed annually. In addition, please be advised that the School District is required by law to give military recruiters the same access to secondary school students as is provided to postsecondary institutions and prospective employers.

B. Utilization of and Consent to Surveys and Examinations or Screenings Administered to Students (Protection of Pupil Rights Amendment)

It is long-standing School District policy that questionnaires, surveys and physical examinations and/or screenings are not administered to students without prior notice to parents, and with an opportunity to parents and eligible students to grant or withhold consent to such administration. Notwithstanding, the School District is required by federal law to inform parents and eligible students about the requirements applicable to all public school systems with regard to such activities, and also with respect to certain physical examinations and/or screenings.

1. Parents and eligible students are entitled to notice and the opportunity either to consent or "opt out"[3] of any survey (and, upon request to inspect any such survey instrument) of participation by a student in a which includes any of the following eight areas of "protected information"[4]:

[3] If the survey is funded in whole or in part by the United States Department of Education, then consent must be obtained before a student is required to submit to a survey. Even if the survey is not so funded, notice of the survey and an opportunity to opt out of participation must be provided.

[4] Federal law makes a distinction between surveys of "protected information" which are funded in whole or in part by the United States Department of Education (in which case the prior consent of parents and eligible students must be obtained) and surveys of "protected information" which are funded from other sources (in which case an "opt-out" opportunity must be provided).

- The political affiliations or beliefs of the student or the student's parent(s);

- Mental or psychological problems of the student or of the student's family;

- Sex behavior or attitudes;

- Illegal, anti-social, self-incriminating or demeaning behavior;

- Critical appraisals of others with whom survey subjects have close family relationships;

- Legally-recognized privileged relationships, such as with lawyers, doctors or religious leaders (ministers, rabbis, priests, imams, and similar persons);

- The religious practices, affiliations or beliefs of the student or the student's parent(s); and

- Income information, other than as may be required to determine eligibility for a School District or other public program.

2. Parents and eligible students have the rights (a) to inspect upon request, and (b) to "opt out" of participation by a student in a survey which collects "personal information" (including such items as a student's or parent's first and last name, address, telephone number or Social Security number), if such information will be used for marketing or selling the information so collected, or will be provided to others for that purpose. However, these inspection and "opt-out" rights do *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.[5]

3. Parents and eligible students have the rights (a) to be notified of, and (b) to "opt out" of any non-emergency, invasive physical examination[6] or screening

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[5] This exception includes the following types of uses: disclosure to colleges, post-secondary educational institutions and military recruiters; book clubs, magazines and programs providing access to low-cost literacy products; curriculum and instructional materials used by elementary or secondary schools; tests and assessments used by elementary or secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students; the sale by students or products or services to raise funds for school-related or education-related activities; and student recognition programs.

[6] An "invasive physical examination" is a medical examination which involves the exposure of private body parts, or which includes an incision, insertion or injection into the body. Hearing, vision and scoliosis screening is not considered to be "invasive."

which is: (i) required as a condition of school attendance, (ii) administered by a public school and scheduled by the school in advance, and (iii) is not necessary to protect the immediate health and safety of the student, or of other students. However, this "opt-out" right does *not* apply to physical examinations or screenings which are required or permitted by New York State law, such as mandatory vaccinations and regular physical examinations of students.

4. Parents and eligible students are entitled to inspect, upon request and before administration or use, (a) protected information surveys of students; (b) instruments used to collect personal information from students for marketing, sales, or other distribution purposes as described above; and (c) instructional material used as part of the educational curriculum.

5. A parent or eligible student may also file a complaint with the United States Department of Education if he or she believes that the School District has violated the Protection of Pupil Rights Amendment with respect to him or her. Complaints should be addressed as follows:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605

Sincerely,

Jonathan P. Raymond
Superintendent of Schools

Permission Opt-Out Form

Dear Parent/ Guardian:

The City School District of New Rochelle and schools post useful information to web sites, as well as in school and district publications, such as newsletters, yearbooks, brochures, school web site, and on cable TV. Classroom and school activities and student work are sometimes photographed or recorded by the school or media for news, information, and educational purposes.

INSTRUCTIONS FOR THIS FORM:
Complete and return this form to your child's school main office ONLY if you **DO NOT** give permission for your student's image, or select directory information to appear in school or District publications or school web sites, or if you do not give permission to the school or District to release basic directory information, such as name, participation in school activities, awards.

- DO NOT submit this form if you permit images or basic directory information of your child to be published in school newsletters and school publications.

Parent/Guardian Permission Opt-Out Form

I _____, parent/guardian of

_____, student at

_____ School,

☐ DO NOT give permission to the City School District of New Rochelle to release or publish my child's image, directory information, or student work in any collection.

☐ DO NOT give permission to the City School District of New Rochelle to release my child's name, address, and telephone number to the United States Armed Forces. (11th and 12th graders)

Parent/Guardian Signature Required: _____ Date_____