Parents or eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by a school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy and Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Parents or eligible students have the right to opt out of the disclosure of “directory information” at the start of each school year. Please complete the form on the reverse side and return to your student’s school by the indicated date.

**For the purpose of this document, please note that legal guardian can be used interchangeably with parent.**
What is the purpose of this brochure?

Student information is protected by the Family Educational Rights and Privacy Act (FERPA). Florida Statutes, and Duval County Public Schools (DCPS) Board Policies. These resources afford parents and students who are 18 years of age or older (eligible students) certain rights with respect to the student's education records. This brochure will provide guidance on student records and the rights of parents and eligible students.

What rights do parents and eligible students have regarding education records?

Parents and eligible students have the right to:

- Inspect and review the education record within 30 days after the school receives a written request to access the record.
- Receive a copy of the record. A reasonable fee not to exceed 15 cents per page is allowed for copies. An additional 5 cents per page may be charged for two-sided copies.
- Request the amendment of the student's education records if the parent or eligible student believes that the records are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
- Provide written consent before the school discloses personally identifiable information from the student's education records to parties other than parents or eligible students, except to the extent that FERPA authorizes disclosure without consent.
- File a complaint with the U.S. Department of Education concerning alleged failure of the school to comply with the requirements of FERPA.

What is in an education record?

According to FERPA, “education records” are defined as those records that contain information directly related to a student and which are maintained by an educational agency or institution or by a party acting for the agency or institution. (See 20 U.S.C. §1232g).

FLORIDA STATUTE 1002.25 requires all principals to maintain permanent cumulative records for all students enrolled in a public K-12 school. Florida law also dictates the content and format of the student record. A student's education record includes, but is not limited to, personally identifiable data (social security number, address, telephone number, date of birth, sex, race; academic records; standardized intelligence, aptitude, and psychological test results; interest inventory results; attendance records; and health data). Also, the record may contain family background information, extracurricular activities, discipline, honors and awards, and a list of schools attended.

What is required to inspect the student's record?

Parents or eligible students who wish to inspect education records should submit a written request to the school principal/designee that identifies the records they wish to inspect. The principal/designee will notify the parent or eligible student of the time and place where the records may be inspected. DCPS staff must comply with the education records request within 30 days.

Parents or eligible students who ask the school to amend the education records should submit a written request to the school principal/designee clearly identifying the part of the record they want changed and specify why it should be changed.

Who, other than parents and eligible students, may access education records?

Parents have the legal right to any and all information in a student’s permanent cumulative record. All parents (married, divorced, separated, never married) have the right to access the student’s education records. A stepparent has no right to access student’s education records. According to FERPA, a stepparent can access student’s education records if the stepparent is present on a day to day basis with the natural parent and child, and the other parent is absent from the home. In such cases, stepparents have the same rights under FERPA as do natural parents. Conversely, a stepparent who is not present on a day-to-day basis in the home of the child does not have rights under FERPA with respect to the child’s education records.

Moreover, school officials who need the information to carry out their duties effectively with the student's education records also have access to the education records. A school official generally includes a person employed by the school district as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official generally has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

With some exceptions (listed in this brochure) no one else may gain access to the student’s permanent cumulative records without written consent of the parent. Understand, however, that "directory information" can be made available for broad categories of students.

What is "directory information?"

Directory information is information contained in the educational records of a student that would not generally be considered harmful or an invasion of privacy, if disclosed. It includes, but is not limited to: name, telephone number (if listed), electronic mail address (if listed), address, dates of attendance at schools in the District and degrees and awards received, name of the most recent previous educational agency or institution attended, student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or part, cannot be used for this purpose).

What if a parent does not want the student’s directory information disclosed?

Duval County School Board policy 5.71-Directory Information, reads, in part, that directory information may only be released to “…the United States Military, uniformed services, college and universities, the State of Florida Department of Health. Parents may opt to have no directory information released by completing and submitting the Directory and Information Release form with their request. The form is part of the Student Records brochure." The School Board may waive this policy as it deems necessary.

Should a parent elect to preclude the publication of his or her student’s directory information, the District will not publish the information. As a result of the parent’s request, the student’s information will not be published in the yearbook, graduation programs, athletic programs, honor society and any other similar publication that contains the education record of the student.

What third parties may access the student’s education record without prior consent?

FERPA permits the disclosure of personally identifiable information (PII) from student education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in 34 CFR 99.31 of the FERPA regulation. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or eligible students to the following:

- Other school officials in connection with a student’s application for financial aid.
- Researchers who do not identify students.