

## **APPENDIX A STATEMENT OF RIGHTS**

Parents/guardians and eligible students have the following rights under the Family Educational Rights and Privacy Act, the Minnesota Government Data Practices Act, Tennesen Notice, the Confidentiality of Information section of the regulations implementing the Education for all Handicapped Children Act of 1975, and Independent School District No. 659 Policy 515 Protection and Privacy of Pupil Records

1. The right to inspect and review the student's records within 45 days after the day the request for access is received by the school district. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, in a hearing if necessary.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records except to the extent that such consent is not required for disclosure pursuant to Policy 515, federal or state law, or the regulations promulgated thereunder.
  - a. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests.
  - b. Another exception is that upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, including suspension and expulsion records pursuant to the federal law and, if applicable, a student's history of violent behavior, and any disposition order which adjudicates the student as delinquent for committing an illegal act on district property.
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary education institutions.
5. The right to file a complaint and report violations of the rules and regulations, cited above, with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder.
6. The right to explanations and interpretations of the records.
7. The right to have a representative of the parent/guardian or eligible student inspect and review the records.
8. The right to exercise a limited control over other people's access to the student's records.
9. The right, if asked to provide private or confidential data, to be informed of:
  - a. the purpose and intended use of the data within the school system;
  - b. whether he/she may refuse or is legally required to supply the requested data;
  - c. any known consequences of not providing the data; and
  - d. the identity of other persons or entities authorized by state or federal law to receive the data.
10. The right to be informed about rights under the federal law.

11. The right to obtain a copy of Policy 515.

All rights and protections given parents/guardians under the above statutes, regulations and district policy transfer to the student when the student becomes an eligible student. An eligible student means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education. The parents of an eligible student who is also a “dependent student” are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 C.F.R. § 99.31(a).

Parents/guardians or eligible students wishing access to or copies of student record policies and administrative procedures should present their request to the building principal or to the Superintendent of Schools.

Copies of this Statement Of Rights will be made available to parents/guardians through official school publications and on the district website. Copies are also available from the district office upon request.

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