

**Access to Student Educational Records  
A Parental Guide  
Protecting the Privacy of Student Information  
Family Education Rights and Privacy Act (FERPA)**

Most information about Washoe County School District (WCSD) students cannot be made public without the consent of parents or guardians. Federal law prohibits schools or the district from releasing information without permission, except for what is termed "directory information" (defined below).

According to the Federal Family Educational Rights and Privacy Act of 1974 (FERPA), directory information about students may be released by the district without parental consent, provided annual notification has been given and the school does not have on file written denial to release directory information. However, schools do use discretion when they receive requests for directory information and will not release such information if it is the principal's judgment that releasing such information would not be in the best interest of the student.

Parents and guardians or students 18 years of age or older who do NOT want directory information released must notify the school principal prior to **October 1**. A simple form has been created for this purpose and it is available at all high schools and on the district website. This form allows for the information to be withheld from everyone, or just from military recruiters. If the form is not received by the school prior to October 1, the school and the district will assume that consent has been given.

***The district's policies on access to student information are in compliance with FERPA and Nevada Revised Statute (NRS) 392.029 of the 1997 legislative session.***

#### **What is general directory information?**

Certain information is made available to most other individuals only with parental written permission. Activities such as awards, scholarships, college/technical school information and various school publications such as yearbooks and athletic programs, however, require the use of some general information about students. Such information is called **general directory information**. Examples of **general directory information** are:

- name, address, telephone listing, electronic mail address
- date and place of birth, photographs
- participation in officially recognized activities and sports
- field of study
- weight and height of athletes
- enrollment status
- degrees and awards received
- dates of enrollment
- most recent previous school attended
- grade level

**Parents have the right to see any documents or materials directly related to their children that are kept within the school or Washoe County School District offices.**

#### **Who may obtain such information?**

- All parents and legal guardians. In the case of divorce, custodial and noncustodial parents have access to the child's record, unless a legally binding document declares differently.
  - Children over the age of 18, emancipated minors, or those attending post-secondary institutions.
  - School officials, parent volunteers or researchers working with the District or Nevada Department of Education with a legitimate educational interest.

- School officials in a district to which the child intends to transfer.
- Individuals connected with a health or safety emergency.
- **In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents (or students) have advised the LEA in writing by October 1<sup>st</sup> that they do not want the student's information disclosed without prior written consent.**

#### **May parents see results of tests given their child?**

Parents have the right to review results from academic, standardized, or psychological tests. If the test itself is kept in the child's records, parents may look at it, if allowed by the NRS.

#### **Can the school legally refuse to show parents any records?**

Personal notes kept by a teacher, principal, psychologist, or other school employee for the sole use of that person are not considered part of the child's record. Such personal notes are not retained in the cumulative record.

#### **How do parents look at such information?**

Ask! Schools will make an appointment for parents to review their child's educational records. Schools have forty-five (45) days to schedule the appointment, but most schools act immediately.

- Parents have a right to an explanation of any forms, test scores, or educational language that they don't understand. If the principal or the appropriate school staff member is not available to answer questions, the parents should schedule a meeting in advance at a more appropriate time.
- When asking to see their child's records, parents with limited English proficiency may ask the school to provide an interpreter for the meeting.

#### **How can an individual obtain school records, if he/she is no longer enrolled in the WCSD?**

The district requires written authorization of the parent to release student records if the student is under 18 years of age. After a former student is 18 years of age or older, records can be released only with his/her written consent.

The information needed to locate records shall include the student's legal name when enrolled in the Washoe County School District, date of birth, name of last Washoe County school attended and the last year of enrollment.

Photocopy charges are \$2.00 per health record and \$3.00 per transcript, if the individual is no longer enrolled in a Washoe County school.

#### **What is the procedure for challenging school records?**

Each parent has the right to challenge information in the records which is believed to be inaccurate, misleading, or in violation of a student's rights. The parent may request that information be amended or removed from the file.

- A written request to change the record must be submitted to the principal at the school where the student is enrolled. The written request must indicate the challenged aspect of the record and specify why that aspect of the record is believed to be inaccurate, misleading, or in violation of the student's rights. Supporting evidence must be submitted with the written request.

- The school principal and appropriate staff, as needed, determines whether or not to change the record.
- Parents will be notified in writing within 15 school days of the decision. If the principal does not agree that the record needs to be changed, parents will be notified of their right to a hearing. The request for a hearing must be made within 10 school days of receipt of the principal's letter.
- If a district hearing is requested, the hearing officer shall hold a hearing within 30 working days and issue a written decision within 10 working days. The hearing officer's decision is final.
- If the change to the record is denied, parents have the right to place a written statement in the record explaining the reasons for their disagreement.

### **What is the procedure for destroying records?**

The Washoe County School District regularly destroys records that are no longer needed for the educational benefit of the student.

- The elementary school removes all non-pertinent information before forwarding the cumulative file to the middle school.
- Emails unless electronically archived are deleted every 60 days. If electronically archived, they are deleted in 7 years.

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

PPRA affords parents and eligible students certain rights regarding the district's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to inspect and consent or opt out of:

- The administration of surveys that contain questions from one or more of eight protected areas:
  1. Political affiliations;
  2. Mental and psychological problems potentially embarrassing to the student and his/her family;
  3. Sex behavior and attitudes;
  4. Illegal, antisocial, self-incriminating and demeaning behavior;
  5. Critical appraisals of other individuals with whom respondents have close family relationships;
  6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
  7. Religious practices, affiliations or beliefs; or
  8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing.
- Any non-emergency, invasive physical examination or screening.

For additional information on FERPA or PPRA, contact the District Coordinator:

**Dr. Bryn Lapenta, Senior Director  
Public Policy, Accountability & Assessment  
Washoe County School District  
425 East Ninth Street (location address)  
P.O. Box 30425 (mailing address)  
Reno, NV 89520-3425  
Phone: (775) 348-0283**

For students who are in Special Education programs in the district, you may also contact:

**Scott Reynolds, Chief Student Support Services Officer  
Student Support Services  
Washoe County School District  
380 Edison Way (location address)  
P.O. Box 30435 (mailing address)  
Reno, NV 89520-3425  
Phone: (775) 857-3161**

The state department:

**Nevada Department of Education  
700 East Fifth Street  
Carson City, Nevada 89710  
Phone: (775) 687-9181**

Parents/eligible students who believe their rights may have been violated may file a complaint by writing or phoning the Family Policy Compliance Office:

**Family Policy and Compliance Office  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
Phone: (202) 260-3887**