

Student Records, Title 45, Teacher Qualifications

District Notification Regarding Access to Student Records

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." Parents of eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records.

Under FERPA, parents and eligible students have the right to:

1. Inspect and review the student's education records. Parents or eligible students should submit to the building principal a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights. Parents or eligible students who wish to ask the school to amend a record should write the school principal, clearly identify the part of the record they want changed and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted as its agent to provide a service instead of using its own employees or officials; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility; upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
4. File a complaint with the U.S. Education Department concerning alleged failures by the district to comply with FERPA requirements.

Directory Information Public Notice/Title 45

Unless objection to any of the following items of information is submitted in writing by parents or legal guardians, or by those students themselves who are over the age of 18 years, the Lindenhurst Union Free School District hereby gives notice of its intention to provide or release to parent/teacher associations and representatives of the district's insurance carriers, to entities providing educational, occupational or career opportunities, or to publish in the Lindy Spotlight, My Lindy E-Newsletter, school student newspapers, magazines, yearbooks, or other publications, daily or weekly newspapers, athletic programs, musical or theatrical programs, news releases and/or on the district website, www.lindenhurstschools.org and social media also including,

but not limited to, any portals, subscriptions, licenses or online services purchased by the district, all of the following information pertaining to students as may be appropriate under the circumstances: student's name, address, telephone number, date of birth, place of birth, major course of study, participation in school activities or sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, most recent school attended, class schedule, photograph, email address and class roster. Pursuant to federal law, the Lindenhurst Union Free School District must disclose to military recruiters, upon request, the names, addresses and telephone numbers of high school students.

Parents, guardians or students over 18 years of age who object to the release of directory information or who wish to exercise their option to withhold their consent to the release of information to military recruiters should give written notice by Oct. 1, 2023, to: Coordinator of Communications, Margaret A. McKenna Administration Building, 350 Daniel St., Lindenhurst, NY 11757. Failure to give written notice shall be deemed consent.

Right to Request and Review Information Regarding Teacher Qualifications for Schools Receiving Title I Funds

In accordance with federal law, parents and guardians have the right to request specific information about the professional qualifications of their children's classroom teachers. Parents and guardians have the right to request the following information:

1. If the student's teacher has met New York State qualifications and licensing criteria for the grade levels and subject areas he or she teaches;
2. Whether the student's teacher is teaching under emergency or other provisional status through which the state qualifications or licensing criteria have been waived;
3. The teacher's college major, whether the teacher has any advanced degrees and, if so, the subject of the degrees; and
4. If the student is provided services by any instructional aides or if similar paraprofessionals provide services to the student and, if they do, their qualifications.

Requests for information about the qualifications of your child's teacher(s) can be directed to the building principal. All requests will be honored in a timely manner.

Student Privacy Policy

Student Privacy Policy (Protection of Pupil Rights Amendment)

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. Parents have the right to inspect all instructional material that will be used for a survey, analysis or evaluation as part of a U.S. Department of Education (DOE) funded program. In addition, no minor student may, without parental consent, take part in a survey, analysis or evaluation funded in whole or in part by the U.S. DOE that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, antisocial, self-incriminating or 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 of the student or the student's parent; 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).

Parents/guardians shall have the right to inspect, upon request, any instructional material used as part of the educational curriculum for students. "Instructional material" is defined as: "instructional content that is provided to a student, regardless of format, including printed or representational materials, audiovisual materials and materials in electronic or digital formats (such as materials accessible through the internet). It does not include tests or academic assessments."

A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the building principal. Upon receipt of such request, arrangements shall be made to provide access to such material within 30 calendar days after the request has been received.

It is the policy of the Board not to permit the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or providing it to others for that purpose. This does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services as permitted by law.

In the event of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the school district pursuant to the requirements of FERPA. Parents/guardians have the right to submit a written statement to opt their child out of participation in the following activities:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information, or providing it to others for that purpose. Upon request, parents/ guardians have the right to inspect any such instrument before it is administered or distributed to their child. This does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions, such as:
 - a. College or other postsecondary education recruitment, or military recruitment;
 - b. Book clubs, magazines and programs providing access to low-cost literary products;
 - c. Curriculum and instructional materials used in schools;
 - d. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information for students or to generate other statistically useful data for the purpose of securing such tests and assessments, and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - e. Student recognition programs; and
 - f. The sale by students of products or services to raise funds for school-related activities.

In the event of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the school district pursuant to the requirements of FERPA and district policy/ regulation.

2. The administration of any survey revealing information concerning one or more of the following:
 - a. Political affiliations or beliefs of the student or the student's parent;
 - b. Mental or psychological problems of the student or the student's family;
 - c. Sex behavior or attitudes;
 - d. Illegal, antisocial, self-incriminating or demeaning behavior;
 - e. Critical appraisals of other individuals with whom respondents have close family relationships;
 - f. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
 - g. Religious practices, affiliations or beliefs of the student or the student's parent; or
 - h. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents/guardians and eligible students shall also have the right to inspect, upon their request, a survey created by a party other than the U.S. DOE before the survey is administered or distributed by a school to a student. Such

requests must be submitted, in writing, to the building principal with a response to be at least two weeks in advance of any survey to be given.

3. The administration of any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law.

Parents/guardians and eligible students shall be notified at least annually, at the beginning of the school year, and when enrolling students for the first time in district schools of this policy. The school district shall also notify parents/guardians within a reasonable period of time after any substantive change to this policy.