

August 1, 2018

RE: FERPA Annual Notice

Dear Mizzou K-12 Online Family,

The *Family Educational Rights and Privacy Act* ([FERPA](#)) gives parents, guardians, and eligible students (18 years of age or older) certain rights with respect to student education records. FERPA policy requires schools to give parents, guardians, and eligible students an annual notice of these rights.

These rights are to 1) Inspect Student's Educational Records; 2) Request an Amendment; 3) Approve Release of Personally Identifiable Information; 4) Inspect Record of Disclosure; and 5) File Complaint.

These rights are further defined below:

- 1. Inspect Student's Education Records.** The right to inspect and review the student's education records within 45 days after the day the Mizzou K-12 Online receives a request for access.

Parents/guardians or eligible students should submit to the school a written request that identifies the records 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. Request Amendment.** The right to request an amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask Mizzou K-12 Online to amend a record should write the school, 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/guardian or eligible student, the school will notify the parent/guardian or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.
- 3. Approve Release of Personally Identifiable Information.** The right to provide written consent before the school discloses personally identifiable information (PII) from 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) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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 in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. **Inspect Record of Disclosure.** Parents and eligible students have a right to inspect and review the record of disclosures.

Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student to the following:

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State Educational Agency (SEA) in the parent/guardian or eligible student's state. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))



- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
 - To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
 - To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
 - To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
 - Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))
5. **File Complaint.** The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Mizzou K-12 Online to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

Directory Information Public Notice

FERPA requires Mizzou K-12 Online, with certain exceptions, to obtain your written consent prior to the disclosure of PII from the student’s educational records. However, Mizzou K-12 Online may disclose appropriately designated “Directory Information” without written consent, unless you have advised Mizzou K-12 Online to the contrary in accordance with our procedures. The primary purpose of Directory Information is to allow Mizzou K-12 Online to include this type of information from your child’s education records in certain school publications such as Graduation Programs, Honor Roll or other recognition lists, etc.

Directory Information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. 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 the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent (§9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 USC §503(c)).



If you do not want the Mizzou K-12 Online to disclose Directory Information from the student's education records without your prior written consent, you must notify the Mizzou K-12 Online in writing by September 1, 2018. Mizzou K-12 Online has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Degrees, honors, and awards received
- The most recent 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 in part, cannot be used for this purpose.)

If you have any questions or concerns about these rights, please contact Mizzou K-12 by email at mizzouk12@missouri.edu.

Sincerely,

Tanya Haeussler
Senior Director | Chief Business Development Officer