

Saratoga County Public Health Services

THE FAMILY EDUCATIONAL RIGHTS TO PRIVACY ACT (FERPA)

FERPA describes how educational information about a student may be used and disclosed and how the student can get access to this information.

Please read and familiarize yourself with your protections under FERPA.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) 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.

Saratoga County Public Health is required by The Family Educational Rights to Privacy Act (FERPA) to maintain the privacy of the student's personally identifiable educational information (PIEI) and annually to give you this notice of legal duties and privacy practices with respect to educational information. This notice may be revised at any time and any revisions of this notice will be effective for past, present or future PIEI contained in the Agency's record.

Your Rights under FERPA:

- You have a right to inspect or review your child's early intervention/preschool education record (PIEI) when a written request to the originator of that portion of the PIEI that you want (the person or agency who created the document). If you are unable to submit a written request, a verbal request will be honored. The originator of the document will provide an explanation or interpretation of the information upon request. If your child is receiving Early Intervention Services, your service coordinator will assist you in making the request. If your request to access is approved and you request a copy of these records, the Agency can charge a fee of up to 10 cents per page (25 cents for second copy) of Early Intervention Program Records and up to 75 cents per page of Preschool Education Program Records, (NYS allowed rate) The fee will be waived if it prevents the parent (PIEI) from exercising their rights to access. The copy will be provided to you within 10 working days, unless the request is made as part of mediation or an impartial hearing, when the chart will be made available within 5 working days.
- You may request an amendment to PIEI. A written request must be received by the originator of PIEI stating that portion of the education record you wish amended, and must include the reason for your amendment request. Your request will be reviewed, but your request for an amendment may be denied. You have a right to a fair hearing if you are denied an amendment. The record will contain a statement to be kept and disclosed with the record if the record is not amended as the result of a hearing.
- You have a right to lodge a complaint in writing with the Early Intervention Official if you feel your FERPA rights are violated. Written complaints can also be made directly to the Office of Compliance at the following address: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-4605.
- The Agency does not disclose (PIEI) directory information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. If in the future the Agency begins to provide directory information, you will be given notice by the Agency of its change in practice, notified of what is included in the contents of the directory, provided with a specific timeframe to submit a written refusal to allow the Agency to disclose (PIEI) as directory information. Former (PIEI) may be disclosed as part of directory information without meeting the conditions stated above.
- The Agency does not disclose the final results of a disciplinary proceeding conducted by an institution when a victim of a crime of violence or a non-forcible sex offense is involved with respect to that alleged crime or offense.

Disclose with your consent:

Written permission is required for examples not covered by this notice or applicable law. Your consent to disclose or to re-disclose PIEI to other parties must be obtained, except to the extent that NYS and Federal Laws authorize disclosure without consent. Written parental consent includes the names of both entities involved in releasing and obtaining of information, which records will be obtained or released, the specific record to be used and the purpose of such use; the date the parent signed the consent and the parent's signature and relationship to the child. When parental consent is obtained to disclose personally identifiable information, only information appropriate or specific to a request is released.

Disclose without your consent:

- To institutions or parties who have a legitimate educational interest.
- To school officials with a legitimate interest or to another educational institution where the (PIEI) seeks or intends to enroll, or when the disclosure is initiated by the parent or eligible (PIEI)
- To authorized representatives of the: Comptroller General or Attorney General or Secretary of the United States, or State and local educational authorities.
- To organizations conducting certain studies for, or on behalf of, educational institutions are permitted only if the study requests PIEI of parents and students.
- To accrediting organizations to carry out their functions.
- To parents of a dependent student.
- The Agency or the parent initiates legal action against either party, and those records relevant to the action are provided to the court, without an order.
- In an emergency, if the knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- When specifically authorized by law, or
- When disclosure is required to Officials of the Federal and/or State Government is required in connection with audit/evaluation, or
- When enforcement of or compliance with Federal legal requirements related to educational programs is being evaluated.
- To comply with a judicial order or lawfully issued subpoena.
- The Agency will make a reasonable effort to try to contact you to notify you of receipt of an order or subpoena, unless we are specifically ordered by law not to.

Complaints:

Submit to the Agency's Early Intervention Official at: Phone # 518-584-7460

Early Intervention Official
Saratoga County Public Health Services
Paul E. Lent Public Safety Facility
6012 County Farm Road
Ballston Spa, NY 12020

If you believe that the student's educational rights have been violated, you have the right to complain without fear of reprisal or retaliation.