



Student Records

The maintenance of student records requires special care to ensure the privacy rights of students and compliance with legal requirements governing these records, including the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C.1232g) and LRS 17:3914.

Definitions

The following terms and definitions apply when discussing student records.

- "Access" to be provided the ability to look at, inspect, and make use of.
- "Eligible student" means a student who is 18 years of age.
- "Education records" means records that are directly related to a student that are maintained by Morris Jeff Community School ("MJCS") or by a third party acting for MJCS.
- "Parent" means a student's natural parent, guardian, or individual acting as parent in the absence of a parent or a guardian.
- "Personally identifiable information" is defined as information about an individual that can be used on its own or with other information to identify, contact, or locate a single individual, including but not limited to the following:
 - (a) Any information that can be used to distinguish or trace an individual's identity such as full name, social security number, date and place of birth, mother's maiden name, or biometric records.
 - (b) Any other information that is linked or linkable to an individual such as medical, educational, financial, and employment information.
 - (c) Two or more pieces of information that separately or when linked together can be used to reasonably ascertain the identity of the person.

Rights Under Family Educational Rights and Privacy Act (FERPA)

According to the Federal Family Educational Rights and Privacy Act (FERPA) parents and eligible students have the right to:

- inspect and review the student's education records;
- seek amendment of the student's education records that are believed to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- consent to the disclosure of personally identifiable information, except to the extent that FERPA and MJCS authorize disclosure without consent; and
- file with the United States Department of Education a complaint concerning alleged failures by MJCS to comply with FERPA.

Disclosures Without Consent

MJCS discloses information from a student's education records without consent when the disclosure meets any of the conditions set forth in FERPA, and in accordance with State law.

A school official having access to student records is:



- a person employed by MJCS in an administrative, supervisory, academic or research, or support staff position, including health or medical staff;
- a person elected to the MJCS Board; and/or
- a person employed by or under contract with MJCS to perform a special task for MJCS.

A school official has a legitimate educational interest to access student records if the official is:

- performing a task that is specified in his or her position description or contract agreement;
- performing a task related to a student's education;
- providing a service or benefit related to the student or student's family, such as health care, counseling, job placement, or financial aid;
- maintaining the safety and security of MJCS property and school grounds; and/or
- performing other duties of legitimate educational interest as determined by the Superintendent or his designee on a case-by-case basis.

Disclosures to officials of another school, school system, or institution of post-secondary education where the student seeks or intends to enroll will be made without any notification to the parent or eligible student. The transfer of student records will include information on the date of any expulsion and reason(s) for which the student was expelled. Any student who has been expelled from any public or private school must provide to School System officials information on the date of expulsion and the reason(s) for which the student was expelled.

MJCS and its employees may disclose education records or information from education records, without the consent of a parent or guardian of the student who is the subject of the records to State and local law enforcement officials and other officials within the juvenile system in accordance with law.

The full text of FERPA can be found at 20 U.S.C.1232g. The implementing regulations concerning FERPA can be found at 34C.F.R.99.1 through 99.67.

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Ave.
SW Washington, D.C. 20202-4605

Other Federal Statutes Affecting Educational Records

Various other Federal laws have been enacted since the tragedy of September 11, 2001, such as the USA Patriot Act, which revised portions of FERPA. Two additional Federal Acts are the No Child Left Behind Act and the Protection of Pupil Rights Act. The School System complies with all State and Federal privacy and educational records laws. Copies of these Federal statutes, their implementation regulations, and other information concerning parent and student rights under these laws can be obtained from MJCS by written request to Morris Jeff Community School; 211 S. Lopez Street; New Orleans, LA 70119.

The Protection of Pupil Rights Act (PPRA) 20 USC 1232h, 34 CFR Part 98 provides for the control and limitation of surveys involving pupils to include the provision that parents/guardians may opt out of such surveys.

Procedure for Inspection of Records



To inspect student records, requests must be made in writing to MJCS. Requests should be addressed to Custodian of Student Records; Morris Jeff Community School; 211 S. Lopez Street; New Orleans, LA 70119.

Amendments to Records

If, upon inspection of a student's records, a parent, eligible student or legal guardian believes that the education records contain information that is inaccurate, misleading, or otherwise in violation of the student's rights of privacy, an amendment to the record may be requested by submitting the requested amendment in writing to MJCS at the address in the preceding section. Any disagreement or amendment will be resolved informally, if possible, through the Head of School or her designee. Only the Head of School or her designee may authorize an amendment to the education records of a student.

If an amendment is not granted, the parent(s) or eligible student may within 30 days of mailing of notification from MJCS, request a hearing. The request must be in writing to the Head of School and mailed to the school office at the address above. The request must be received within 30 days in order to be considered. The 30-day period commences on the day after the date of the notice denying the initial request for amendment.

Collection of Student Data

Unless voluntarily disclosed by a student's parent or legal guardian, no employee of MJCS shall require disclosure to the school by the student, parent or legal guardian of any of the following information:

- (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) Sexual behavior or attitudes.
- (d) Illegal, anti-social, self-incriminating, or demeaning behavior.
- (e) Critical appraisals of other individuals with whom a student has a close family relationship.
- (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.
- (h) Family income.
- (i) Biometric information.
- (j) Social security number.
- (k) Gun ownership.
- (l) Home Internet Protocol Address.
- (m) External digital identity.

Allowable Access

MJCS allows access, including disclosure, of certain student personally identifiable information without consent under the following circumstances:

- (a) when required by applicable state or federal law, such as:



- 20 USC 7908(a)(1) requires public schools to provide student names, address, and telephone numbers to military recruiters, unless the student's parent, eligible student or legal guardian has requested that the information not be provided.
- LRS 17:81(N) provides for the release of student information to state and local law enforcement officials and officials within the office of juvenile justice.
 - (b) under the terms of a contract with a public or private entity providing student or education services when such contract meets the requirements of the law. Such contracts and a list of the data elements that are included in the contract shall be available for inspection. Release under such a contract without consent is necessary for the education of a student, as determined by the school system. Examples of such contracts include but are not limited to Student Information Systems, Special Education Reporting systems, etc.

Approved Access

Unless directed in writing otherwise by a student's parent, eligible student or legal guardian, MJCS approves a person employed in a school or person authorized by the superintendent to provide access to certain student personally identifiable information in accordance with FERPA and LRS 17:3914, as follows:

- information to protect the health, safety, or welfare of a student and/or the general public;
- information to facilitate a student's participation in a school sanctioned extracurricular activity, including but not limited to a sport, organization or club;
- information to facilitate the operation and daily activities within system facilities, including but not limited to the display and use of student information;
- information related to programs and activities related to school sanctioned performances or productions, events and award programs and graduation;
- university transcript requests, scholarships, and admissions;
- LHSAA, NCAA and other related sports programs;
- online resources and educational tools;
- school photography, ID badges and yearbook providers;
- information provided in accordance with a contract between MJCSard and a public or private entity which has been contracted to perform student or education services, but only to the extent provided for in such a contract; and
- directory information as set forth herein.

If a parent, eligible student or legal guardian wishes to deny consent for release of information under school approved access releases, except as provided by law, he or she must contact the school office and complete a "Release Clarification Form". Such termination does not apply to information generated/released prior to the receipt of consent termination.

Directory Information

MJCS may provide access to information designated as "directory information" on-site in general and private access areas of a school or school system facility, and to school-sponsored or school-related organizations. The following information is designated as directory information:



- student's name, address, telephone listing;
- parents' names and addresses;
- student's date and place of birth;
- student's school and grade level;
- student's picture and electronic mail address;
- student's major field of study;
- participation in officially recognized activities and sports;
- weight and height of members of athletic teams;
- dates of attendance;
- degrees and awards received; and
- previous educational agency or institution attended by the student.

Examples of school sponsored or school-related organizations includes but is not limited to:

- parent organizations (such as Family Partnership, booster clubs, etc.);
- scholarship programs;
- student clubs;
- printing services (programs for graduation, award ceremonies, athletic events, playbills for drama productions, etc.).

If a parent, eligible student or legal guardian wishes to have the student's directory information excluded from directory data, except as provided by law, he or she must contact the school office and complete a "Release Clarification Form". Such termination does not apply to information generated/released prior to the receipt of consent termination. The parent, eligible student or guardian must complete and submit this form to the school principal each academic year within the first two (2) weeks after the school session begins in the fall in order to prevent disclosure of directory information pertaining to that student. If a student enrolls during an academic year, the parent, eligible student or guardian may prevent the disclosure of directory information pertaining to that student by completing and submitting the form to the school principal within two (2) weeks of enrollment.

Collection and Disclosure of Information Related to Postsecondary Education

Upon obtaining the written consent (via the Release of Student Information consent form) from a parent, or student who has reached the age of majority or legal guardian of a student, MJCS shall collect the following information from each student in grades eight through twelve:

- (a) Full name.
- (b) Date of birth.
- (c) Social security number.
- (d) Student cumulative transcript data.



The consent authorizes MJCS to provide such information to the Louisiana Office of Student Financial Assistance (LOSFA), any Louisiana postsecondary education institution, and the Louisiana Board of Regents. This information is released for TOPS eligibility and processing of applications for admissions and state and federal aid. The failure to provide written consent for collection and disclosure of a student's information will result in delays or may prevent the successful application for admission to post-secondary institution and for state and federal student financial aid. Once obtained such written consent shall continue year to year until withdrawn by the parent, eligible student or legal guardian.

If a parent, eligible student or legal guardian wishes to deny consent for release of information related to postsecondary education, except as provided by law, he or she must contact the school office and complete a "Release Clarification Form". Such termination does not apply to information generated/released prior to the receipt of consent termination.

Access by the Louisiana Department of Education

LRS 17:3914 provides limitations on the access to student personally identifiable information by the Louisiana Department of Education.

- (a) Provide a student's identification number as provided by law, and aggregate data to the local school board, the state Department of Education, or the State Board of Elementary and Secondary Education solely for the purpose of satisfying state and federal reporting requirements.
- (b) Provide to the state Department of Education, for the purpose of satisfying state and federal assessment, auditing, funding, monitoring, program administration, and state accountability requirements, information from which enough personally identifiable information has been removed such that the remaining information does not identify a student and there is no basis to believe that the information alone can be used to identify a student. No official or employee of the state Department of Education shall share such information with any person or public or private entity located outside of Louisiana, other than for purposes of academic analysis of assessments.
- (c) Provide personally identifiable information regarding a particular student to any person or public or private entity if the sharing of the particular information with the particular recipient of the information has been authorized in writing by the parent or legal guardian of the student, or by a student who has reached the age of legal majority, or if the information is provided to a person authorized by the state, including the legislative auditor, to audit processes including student enrollment counts. Any recipient of such information shall maintain the confidentiality of such information. Any person who knowingly and willingly fails to maintain the confidentiality of such information shall be subject to the penalties provided by law.
- (d) Provide for the transfer of student information pursuant to the provisions of R.S. 17:112.

Public Information/Communications Releases

In order to help keep the public informed about schools and to recognize students and staff for their accomplishments, students are sometimes included in school and/or System information that is distributed to the public. From time to time, newspaper, broadcasting, media outlets and System personnel may interview, videotape, voice record, and/or photograph students for these purposes. The System websites and educational television station are used widely to highlight student achievements and activities. A student's voice, likeness, and/or work may be used in print publications, press releases, audiovisuals, and websites, including social media, issued by employees or designees of MJCS. Student work includes, but is not limited to, written work, art, music, etc. The information may be used by members of the media with permission of officials from MJCS.



These items include, but are not limited to, photographs, videotapes, live broadcasts, sound recordings, and/or other electronic transmissions, including social media, related to school activities. The release of such information may identify the class, school, or program attended by the student. No compensation or reimbursement of any kind related to the use of the above information will be paid to a parent, student or legal guardian. The above referenced information may be used in subsequent years without additional consent.

To ensure that parents, eligible students and guardians agree to participation, they are asked to sign and return a Release of Student Information Consent form to permit such participation. Once obtained such written consent shall continue year to year until withdrawn by the parent, eligible student or legal guardian. If a parent, eligible student or legal guardian wishes to deny consent for public information and communication releases, except as provided by law, he or she must contact the school office and complete a "Release Clarification Form". Such termination does not apply to information generated/released prior to the receipt of consent termination. Termination is effective beginning at 4:30pm local time the day after receipt.

Louisiana Department of Education Data Sharing Agreements

For information about the Louisiana Department of Education's data sharing agreements, please see this link: <http://www.louisianabelieves.com/resources/library/data-center/data-sharing-agreements>.