

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) NOTICE

The Family Educational Rights and Privacy Act (FERPA) give parents and students over 18 years of age (“eligible students”) certain rights regarding the student’s educational records. FERPA also permits a school district or educational institution to disclose some information about the student without permission. The other side of this notice describes the type of information that PEP may disclose without permission. Listed below are a parent’s/student’s rights regarding the student’s educational records:

1. The right to inspect and review the student’s educational records.
2. The right to request that PEP amend records that the parent/eligible student believes is inaccurate or misleading.
3. The right to consent to disclosure of information contained in the student’s records, except where the law allows PEP to disclose information without your consent.
4. The right to file a complaint concerning alleged failures by PEP to comply with FERPA’s requirements. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202-4605

If you want to inspect or review records, you should submit a written request to the clinical supervisor at your child’s center or to PEP’s privacy officer. Within 30 days of the date that PEP receives the request, the clinical supervisor or privacy officer will notify you of the time and place where you may inspect or review the records.

If you want to request that PEP amend a record, you should write to the clinical supervisor at your child’s center or to PEP’s privacy officer and clearly identify the part of the record that you want changed, and state why you believe it is inaccurate or misleading. If PEP decides not to amend the record, the clinical supervisor or privacy officer will notify you of the decision, within 60 days, and advise you that you have a right to a hearing regarding your request for an amendment.

You may contact PEP’s privacy officer at the following address:

Privacy Officer
Positive Education Program
3100 Euclid Ave.
Cleveland, OH 44115
(216) 361-4400, ext. 154

DISCLOSURE NOTICE

Both federal and state law allows a school to release a student's "directory information" without permission, unless the parent/guardian (or student age 18 or older) asks in writing that directory information not be released. Positive Education Program (PEP) considers the following information "directory information:"

- Name;
- Address;
- Telephone listing;
- Date and place of birth;
- Participation in officially recognized activities;
- Dates of attendance; and
- Degrees and awards received

The provisions of FERPA also allow PEP to videotape and/or photograph students in the classroom or during extracurricular programs, activities and other school functions, and to share these videotapes and/or photographs with the public through its newsletters, reports, web site, or other communications. However, with regard to videotaping and/or photographs, PEP's policy is to get parents' written consent at intake to use the images only for training purposes unless otherwise stated on the consent form.

Other than directory information, parents and eligible students have the right to give their permission for PEP to disclose information in the student's record, except in cases where the law allows PEP to disclose information without permission.

As allowed by law, PEP will disclose, without permission, personally identifiable student information to people within PEP and within the student's home school district (including employees or consultants hired by PEP or the district) who have a legitimate educational interest in reviewing the information. Examples of people who have a legitimate educational interest in the information include administrators, psychologists, guidance counselors, the student's current teachers, aides, and any other PEP or district employee currently working with the student.

Also, upon request, PEP will release personally identifiable student information to another school, school system, or institution of postsecondary education in which a student seeks to enroll or that is providing services to the student. Parents/guardians or eligible students may request a copy of all information disclosed.

Parents/guardians or eligible students who believe their privacy rights have been violated may file a complaint with the United States Department of Education.