

**ACTION DUE BY: September 11, 2009
September 18, 2009**

Office of the Deputy Superintendent
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

July 1, 2009

MEMORANDUM

To: All Principals

From: Frieda K. Lacey, Deputy Superintendent of Schools

Subject: Annual Notification of *Family Educational Rights and Privacy Act* and *Protection of Pupil Rights Amendment* and Directory Information

Summary

- Each year we are required by law to inform parents of the *Family Educational Rights and Privacy Act, P.L. 93-380 (FERPA)*, as well as their rights under the *Protection of Pupil Rights Amendment, 20 U.S.C. 1232h; 34 CFR Part 98 (PPRA)*.
- PPRA requires educational institutions to notify parents and eligible students of their rights concerning the district's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. Attachment A is the PPRA notice for distribution to parents.
- A section of FERPA requires Montgomery County Public Schools (MCPS) to give parents and eligible students the opportunity to request that *directory information* be withheld. Attachment B contains the appropriate information, including a tear off portion for parents to return.
- The definition of *directory information* is based on categories suggested by the federal government and includes the student's name, date and place of birth, major field of study, participation in officially recognized activities and sports, degrees and awards received (including honor roll), most recent educational agency or institution attended, dates of attendance, photographs; the weight and height of members of athletic teams, and other similar information.
- Parents and eligible students may direct the principal not to release any or a specific part of this *directory information* if they act by September 11, 2009, by returning the tear off portion of Attachment B.

- Parents and school staff must understand that if they withhold *directory information*, the decision affects all lists of or references to students distributed or used outside MCPS, whether prepared by the school, the Parent Teacher Association (PTA), central services, or other school organizations.

Action

The following actions by principals are needed to ensure that MCPS carries out the intent of FERPA and Maryland law and that a minimum burden and liability are placed on the school.

- Please send the PPRA letter and FERPA notice home to parents during the first week of school with a return date of **September 11, 2009**. Spanish, Vietnamese, French, Korean, and Chinese translations are available on the MCPS website at <http://www.montgomeryschoolsmd.org/info/studentprivacy/> or upon request from Mrs. Sona Davis, data systems operator, Department of Policy, Records, and Reporting (DPRR), at 301-279-3211.
- Each principal must submit a memorandum by **Friday, September 18, 2009**, to Mrs. Davis, Carver Educational Services Center (CESC), Room 11, indicating: (a) that no parents have asked the school to withhold *directory information*, or (b) the number of parents that have asked the school to withhold *directory information*. The completed directory information forms, if any, should be attached to the memorandum.

DPPR staff will create a database of those students whose parents do not want the release of either all or specific parts of their child's *directory information* and will provide each school with a list of their students.

- Schools should provide a copy of the PPRA notice and the FERPA form to parents of new students who enroll after the notice and form have been distributed. Principals are to submit any resulting requests to Mrs. Davis, CESC, Room 11, at the time they are received.
- Students for whom no *directory information* is to be released should not appear on any school lists, athletic programs, PTA directories, or other school publications that are distributed/available to the public.
- Requests for *directory information* and/or names, addresses, and phone numbers of students by the PTA or other organizations of parents, teachers, and students can be completed after September 11, 2009. Principals must verify, before release, that the lists only include students whose names, addresses, and phone numbers can be released. Receiving organizations should be advised that the information provided is for the sole use of that organization.

- All requests from outside individuals, groups, or agencies for students' *directory information* and/or names and addresses must be made to DPRR. *Directory information* for students who have requested that no information be released will be removed before distribution. Home addresses and phone numbers will be provided only to organizations of any combination of parents, teachers, and students of a school; a force of the military; a Maryland community college; or the Maryland Higher Education Commission, if the parent has not requested that the information be withheld.
- Other requests for information, research, and/or data acquisition activities should be directed to the Office of Shared Accountability. These requests are subject to approval under MCPS Regulations, AFA-RA, *Conducting Research in Montgomery County Public Schools*, or EHCORA, *Clearance of Data Acquisition Activities*.

Questions

- If you have any questions, please contact Mrs. Davis at 301-279-3211 or via e-mail at Sona_J_Davis@mcpsmd.org.

Thank you for your cooperation.

FKL:sp

Attachments

Copy to:

Executive Staff

Mrs. Blum

Mrs. Ferrell

Ms. Langford

School Administrative Secretaries

Dr. Newman