PLEASANTS COUNTY SCHOOLS

Annual Notification of Rights under FERPA and WVBE Policy 4350 and Annual Directory Information Notice 2026-2027 (FY27)

Parents and eligible students (that is, students who are 18 years of age or older) have certain rights with respect to their children's (or their own) education records. These rights are guaranteed by laws and regulations including the Family Educational Rights and Privacy Act (FERPA), West Virginia Board of Education (WVBE) Policy 4350[1], Pleasants County Board of Education Policy 8000, and others. Generally, these rights are:

1. The right to inspect and review education records in a reasonable timeframe after a school receives the request.
   If parents or eligible students want to inspect their child's or their own education records, they should submit a written request to the school principal. That written request should identify the specific records they want to see (such as enrollment, attendance, discipline, grades, schedules, and so on.) The school official will make appropriate arrangements for access and will notify them about when and where they may view the records. School officials will try to provide electronic access when feasible, making sure that security of the information is high priority. Per WVBE Policy 4350, parents and eligible students must be given access to review the records within 30 days after the school receives the request.

2. The right to request amendments or corrections to education records if a parent (or the eligible student) believes they are inaccurate, misleading, or otherwise in violation of the student's privacy rights.
   If parents or eligible students want to request a correction or amendment to an education record, they should write the school principal in a letter that (1) clearly identifies the part of the record that should be changed, and (2) specifies the reason(s) why it should be changed (including why it is inaccurate or misleading). If school officials decide not to amend the record as requested, the school will notify parents/eligible students of the decision and of their right to a hearing regarding the request. Additional information regarding the hearing procedures will be provided when notification is sent.

3. The right to provide written consent before personally identifiable information (PII) from the student's education records is disclosed to other parties (except to the extent that regulations authorize disclosure without that consent).
   In general, parents or eligible students must provide written consent before schools or districts can disclose PII from education records. However, there are some exceptions that allow schools to share education records without this written consent. One such exception is called the "School Officials Exception." Under this exception, schools may disclose PII from education records to school officials with a legitimate educational interest. "Legitimate educational interest" means that the official needs information from education records in order to perform their assigned job or tasks or to carry out the responsibilities for which they have been hired/contracted.

   "School Officials" in Pleasants County Schools include:
   Staff members employed by the school or school district:
   - Administrators
   - Teachers
   - Student support personnel (including counselors, school nurses, social workers)
   - Other support staff (including secretaries, bus drives, cooks and cafeteria workers)
   - School Board members
   - School and Classroom Volunteers, including parent, community, and student volunteers (like story time readers, homeroom moms/dads, office helpers, chaperones, peer mentors)
   - Contractors or consultants who perform institutional services or functions for which the school or district would normally use employees and who are under the direct control of the school/district with respect to accessing, using, and/or maintaining PII from education records
     - such as an attorney, auditor, educational consultant, medical consultant, contracted counselor, or therapist.

[1] WVBE Policy 4350, 126 CSR 94, *Procedures for the Collection, Maintenance and Disclosure of Student Data*

When students transfer or seek to enroll in other schools or districts, Pleasants County will forward or transfer students' education records from this district/school to officials at the new school or institution upon request. These disclosures related to enrollment/transfer will occur when appropriate records requests are made either by the new school/institution or by parents or eligible students.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations and § 126-94-19 of WVBE Policy 4350. Except for specific types of disclosures (such as disclosures of directory information), federal and state regulations require the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures.

For more information about instances in which disclosures of PII from education records can be made without parental or eligible student consent, please refer to one of the following resources:

- FERPA for Parents: https://www2.ed.gov/policy/gen/guid/fpco/ferpa/parents.html
- FERPA Regulations: https://studentprivacy.ed.gov/node/548/
- WVBE Policy 4350: http://wvde.state.wv.us/policies/

4. The right to file a complaint with the U.S. Department of Education (USED) and/or the West Virginia Department of Education (WVDE) if a parent or eligible student believes that a school or district has not complied with the requirements of FERPA and/or WVBE Policy 4350.
   Parents or eligible students who believe that their school or district has failed to comply with FERPA and/or WVBE Policy 4350 may file a complaint with the USED Student Privacy Policy Office and/or the WVDE Office of Data Management and Information Systems.

   - Privacy Concern Forms and instructions for filing a privacy complaint with the WVDE are available online at https://wvde.us/data-analysis-research/privacy-and-protection-of-human-subjects/
     Please Note: It may be necessary to right-click to save the complaint form to your local computer. If a parent or eligible student needs a form and cannot access it online, they may call the WVDE at 833-627-2833.
   - More information about filing a complaint with the USED (including appropriate forms and contact information) can be found online at https://studentprivacy.ed.gov/file-a-complaint

   Complaints and concerns can also be mailed to the following addresses:

   U.S. Department of Education
   Student Privacy Policy Office
   400 Maryland Ave, SW
   Washington, DC 20202-8520

   West Virginia Department of Education
   ATTN: Student Privacy Concern
   1900 Kanawha Blvd. E, Building 6
   Charleston, WV 25305-0330

Pleasants County Schools
Annual Notification- FERPA & Directory Information

Directory Information Notice

The Family Educational Rights and Privacy Act (FERPA) and West Virginia Board of Education Policy 4350 require that Pleasants County, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from students' education records. However, PCS may disclose appropriately designated "directory information" without written consent, unless parents or eligible students (that is, students who are 18 years of age or older) have advised the PCS not to disclose that information.

Directory information is information that is generally not considered harmful or an invasion of privacy if released. Pleasants County has designated the following information as directory information:

- Student name
- Address
- Telephone number
- Date and place of birth
- Dates of attendance
- Most recent previous school attended
- Major field of study
- Indication of "graduate" or "non-graduate"
- Degrees and honors/awards received
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Photograph

A major purpose of directory information is to allow Pleasants County Schools to include limited information from students' education records in certain publications or announcements. Directory information is used in various publications, including (but not limited to):

- Athletic programs, announcements, and award ceremonies (such as team programs or team lists, like those for football or wrestling that show the height/weight or weight classes of team members)
- Programs or playbills that list band or chorus participants or that show students' roles in drama productions
- Annual yearbooks
- Honor rolls or other awards/recognition lists
- Graduation programs
- Press releases and news stories about student awards and accomplishments

Directory information may also be disclosed to outside organizations such as companies that manufacture class rings; take school, team, or student organization photos; offer graduation announcements; or publish yearbooks.

Two federal laws (Section 9528 of the Elementary and Secondary Education Act [20 U.S.C. § 7908] and 10 U.S.C. § 503(c)) also require that Pleasants County provide the names, addresses, and phone numbers of high school students to military recruiters unless parents or eligible students have advised that they do not want that information to be disclosed without prior written consent.

If a parent or eligible student does not want PCS to disclose any or all of the types of information designated as directory information from a student's education record without prior written consent, that parent/eligible student must notify Pleasants County Schools in writing by the end of the first week of school for students for the current year that directory information about the student should not be released.

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) ensures that parents and eligible students[1] have certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

1. Give consent before students are required to submit to a survey that concerns one or more protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education. Protected information includes the following:
   - Political affiliations or beliefs of the student or student's parent
   - Mental or psychological problems of the student or student's family
   - Sex behavior or attitudes
   - Illegal, anti-social, self-incriminating, or demeaning behavior
   - Critical appraisals of others with whom respondents have close family relationships
   - Legally recognized privileged relationships, such as with lawyers, doctors, or ministers
   - Religious practices, affiliations, or beliefs of the student or student's parent
   - Income, other than as required by law to determine program eligibility

2. Receive notice of and an opportunity to opt a student out of the following:
   - Any other protected information survey, regardless of funding source
   - Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under WV law
   - Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others
     (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

3. Inspect the following upon request and before administration or use:
   - Protected information surveys of students and surveys created by a third party
   - Instruments used to collect personal information from students for any of the marketing, sales, or other distribution purposes listed in item 2
   - Instructional material used as part of the educational curriculum

Pleasants County Schools' has adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Pleasants County Schools will notify parents of these policies at least annually (and/or after any substantive changes. Pleasants County Schools will also directly notify parents whose children are scheduled to participate in the specific activities/surveys and will provide an opportunity for parents to (a) review any pertinent surveys and (b) opt their children out of participation in the survey/activity. Pleasants County Schools will adhere to reasonable notification timelines. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

[1] These rights transfer from the parents to a student who is 18 years old or an emancipated minor under WV law.