



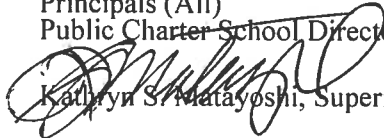
STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

ACTION REQUIRED

July 10, 2014

TO: Principals (All)
Public Charter School Directors

FROM: 
Kathryn S. Matayoshi, Superintendent

SUBJECT: **Annual Notification of Privacy Rights**

Action is required. The annual notification procedures have been revised from the memo dated April 22, 2013.

Federal laws require the Hawaii Department of Education (DOE) to annually notify parents, guardians, and eligible students (18 years or older) about privacy rights under the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). Under FERPA, the DOE must also designate what student information it has determined as directory information and how a request can be made to withhold such information (i.e., opt out) from being disclosed, unless FERPA guidelines allow disclosure without consent. Additionally, in accordance with the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), the DOE is required to provide designated military recruitment personnel (in Hawaii, the military's Inter-Service Recruitment Council, or IRC) the name, address, and telephone number (including unlisted numbers) of secondary school students (grades 7-12).

NOTIFICATION REQUIREMENTS – Notification Deadline: Wednesday, August 27, 2014

When a student is enrolled at the beginning of or after the start of the school year, the parents, guardians and/or eligible students (18 years or older) must be notified of their privacy rights and opt out provisions related to the release of directory information and the release of information to military recruiters.

Actions:

To ensure that annual notification of privacy rights are provided to parents, guardians, and eligible students, all schools must:

- Post the statement below prominently **on the front page** of their school websites.
- Include the following statement **in school newsletters** beginning no later than August 27, 2014:

“Annual Notification of Privacy Rights

Know your privacy rights as they apply to 1) student record information; 2) directory information; 3) surveys and other information collection; and 4) military recruitment information. For more information on your privacy rights, the laws that protect them, and how to exercise your rights, contact your school administrator or visit <http://bit.ly/FERPAHI>.”

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- Display the **poster in clearly visible locations** in their administrative offices and other public places within and around their schools (e.g., the library and/or student center).*
- Send home bookmarks and newsletters (if newsletter is in print format) with every student.*
- Opt out forms are to be provided to parents and students upon request, and not sent home with every student as has been the practice in prior years.

✓ **Please note:** The “Parent/Guardian/Eligible Student Opt Out Communication Template” is attached to this memo to assist schools that prefer to include a letter home. Internal guidance documents (i.e., this memo) are for internal communications only.

In addition, schools are encouraged to announce this information at public meetings, including but not limited to School Community Councils.

Privacy Rights bookmarks, brochures and hard copies of the Annual Notification Poster will be distributed to schools for general distribution. Until they arrive, schools may print out and post copies of this poster on their campuses. You can find links to these documents at <http://intranet.hawaiipublicschools.org/offices/dgo/pse/Pages/default.aspx>– link requires DOE login.

WRITTEN CONFIRMATION OF DISTRIBUTION – Confirmation Deadline: Friday, August 29, 2014

Action:

- Principals must provide written confirmation to the Complex Area Superintendent (CAS) that the annual notification of privacy rights statement has been
 - Distributed via bookmarks or brochures to students and parents
 - Posted to their schools’ websites
 - Posted on their campuses
 - Included in their newsletters

Directions:

- The confirmation should be made from a school administrator to the school's Complex Area Superintendent (CAS) with copy to ferpa@notes.k12.hi.us. The confirmation should state the date by which the notification process was completed.

The CAS will monitor compliance with the distribution deadline and send a list of schools which did not meet the August 29, 2014 distribution deadline to ferpa@notes.k12.hi.us.

Information regarding school procedures for processing non-disclosure requests in the eSIS student information system is provided in the “eSIS Non-Disclosure Instructions” attached to this document. For further assistance with eSIS, please contact the Customer Service Desk Unit at 564-6000.

For assistance with annual notification procedures, contact Shelly Larson, Data Governance Office at 440-2856 or via Lotus Notes.

KSM:JYF:md

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Attachments: Notification of Rights Under FERPA for Elementary and Secondary Schools
Notice for Directory Information
Non-Disclosure of Information (Opt Out) Form
Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)
Notice to Secondary School Students and Parents/Guardians of Secondary Students-
Military Recruiters Request for Student Information
Opt Out Form for non-disclosure of a secondary school student's name, address, and
telephone listing to military recruiters
eSIS Non-Disclosure Instructions
Parent/Guardian/Eligible Student Opt Out Communication Template
Student Information Privacy Notification Checklist 2014
Record Requests for Access to Student Education Records

c: Deputy Superintendent
Assistant Superintendents
Complex Area Superintendents
Charter School Administrative Office
Superintendent's Office Directors
Data Governance Office