

34 CFR 99.7

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Code of Federal Regulations > Title 34 Education > Subtitle A — Office of the Secretary, Department of Education > Part 99 — Family Educational Rights and Privacy > Subpart A — General

§ 99.7 What must an educational agency or institution include in its annual notification?

(a)

(1) Each educational agency or institution shall annually notify parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Act and this part.

(2) The notice must inform parents or eligible students that they have the right to —

(i) Inspect and review the student's education records;

(ii) Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;

(iii) Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and § 99.31 authorize disclosure without consent; and

(iv) File with the Department a complaint under §§ 99.63 and 99.64 concerning alleged failures by the educational agency or institution to comply with the requirements of the Act and this part.

(3) The notice must include all of the following:

(i) The procedure for exercising the right to inspect and review education records.

(ii) The procedure for requesting amendment of records under § 99.20.

(iii) If the educational agency or institution has a policy of disclosing education records under § 99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

(b) An educational agency or institution may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights.

(1) An educational agency or institution shall effectively notify parents or eligible students who are disabled.

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(2) An agency or institution of elementary or secondary education shall effectively notify parents who have a primary or home language other than English.

(Approved by the Office of Management and Budget under control number 1880-0508)

Statutory Authority

(20 U.S.C. 1232g (e) and (f))

History

[53 FR 11943, Apr. 11, 1988; 53 FR 19368, May 27, 1988; 61 FR 59292, 59295, Nov. 21, 1996]

Annotations

Research References & Practice Aids

Hierarchy Notes:

34 CFR Subtit. A

34 CFR Subtit. A, Pt. 99

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