

Annual Notice of Rights Under FERPA

Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99) | School year 2026–2027

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records maintained by Summit School / Summit Children's Residence Center ("Summit"). These rights are:

1. **The right to inspect and review the student's education records within 45 days after the day Summit receives a request for access.** Parents or eligible students should submit a written request to the Data Protection Officer (privacy@summitnyack.com, or by mail to Data Protection Officer, Summit School, 339 North Broadway, Upper Nyack, NY 10960) or to the main office, identifying the records they wish to inspect. Summit will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Under the Individuals with Disabilities Education Act (34 CFR § 300.613), Summit will comply without unnecessary delay and before any meeting regarding an IEP or any due process hearing.
2. **The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.** Parents or eligible students who wish to ask Summit to amend a record should write to the Data Protection Officer, clearly identify the part of the record they want changed, and specify why it should be changed. If Summit decides not to amend the record as requested, Summit will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided with the notification of the right to a hearing.
3. **The right to provide written consent before Summit discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.** See "Disclosures without consent" below.
4. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by Summit to comply with the requirements of FERPA.** The name and address of the office that administers FERPA are: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Complaints regarding New York Education Law § 2-d may also be filed with the NYSED Chief Privacy Officer, 89 Washington Avenue, Albany, NY 12234, privacy@nysed.gov, or with Summit's Data Protection Officer at the contact information above.

Disclosures without consent

FERPA permits disclosure of PII from education records without written consent in certain circumstances (34 CFR § 99.31). Those most relevant to Summit families include:

- **School officials with legitimate educational interests.** A school official is a person employed by Summit as an administrator, supervisor, teacher, teaching assistant, clinician, nurse, residential staff member, or support staff member (including IT, health, and security personnel); a member of Summit's Board; or a person or company with whom Summit has contracted to perform an institutional service or function that Summit would otherwise use its own employees to perform

(such as a student information system provider, IT consultant, attorney, or auditor) and who is under Summit's direct control with respect to the use and maintenance of PII, and is subject to the requirements of New York Education Law § 2-d. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- **The student's placing school district.** Summit students are placed by their home school district's Committee on Special Education (CSE). Summit shares attendance, progress, IEP implementation, evaluation, and related records with the placing district, which is responsible for the student's IEP and maintains its own records subject to FERPA. Parents may exercise their FERPA rights with the placing district as well as with Summit.
- **Other schools.** Summit discloses education records without consent to officials of another school, school system, or postsecondary institution in which the student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes related to the student's enrollment or transfer, upon request of that institution.
- **Other agencies involved in the student's placement or care,** such as the New York State Education Department, the Office of Children and Family Services, a county Department of Social Services, or a court, to the extent authorized by law or court order.
- **Health or safety emergencies,** to appropriate parties when necessary to protect the health or safety of the student or others.
- **Accrediting organizations, authorized representatives of federal or state authorities in connection with audits or evaluations, and organizations conducting studies for or on behalf of Summit,** subject to the conditions in FERPA.
- **Judicial orders or lawfully issued subpoenas,** after reasonable effort to notify the parent or eligible student, unless notice is prohibited.

Directory information

Summit does **not** designate any student information as "directory information" under FERPA and does not release student names, photographs, or other identifying information to the public or to outside organizations without written parental consent, except as permitted by law. Photographs or video of students used in Summit publications, on Summit's website, or on social media are used only with a signed media release on file.

Records of students with disabilities

In addition to FERPA, the confidentiality of records relating to students with disabilities is protected by the Individuals with Disabilities Education Act (34 CFR §§ 300.610–300.627) and New York regulations (8 NYCRR § 200.2(b)(6)). Parents have the right to receive, on request, a list of the types and locations of education records collected, maintained, or used by Summit; to have a representative inspect and review records; to receive an explanation or interpretation of records; and to request copies where failure to provide copies would effectively prevent the parent from exercising the right to inspect and review. Summit will inform parents when PII is no longer needed to provide educational services to the child, and will destroy it at the parent's request, except that a permanent record of the student's name, address, phone number, grades, attendance, classes attended, grade level completed, and year completed may be maintained.

New York Education Law § 2-d

Summit also complies with New York Education Law § 2-d and Part 121 of the Commissioner's Regulations, which prohibit the sale of student data and its use for commercial or marketing purposes, require every vendor that receives student data to sign a data privacy agreement, and require Summit to publish a Parents' Bill of Rights for Data Privacy and Security and supplemental information about each vendor. These documents, and a complaint form, are available at www.summitnyack.com/data-privacy.

Protection of Pupil Rights Amendment (PPRA)

PPRA (20 U.S.C. § 1232h) gives parents certain rights regarding surveys, the collection and use of information for marketing purposes, and certain physical examinations. Summit does not administer surveys funded by the U.S. Department of Education that ask about protected topics (such as political affiliations, mental or psychological problems, sexual behavior, illegal or self-incriminating behavior, critical appraisals of family members, religious practices, or family income) and does not collect student information for marketing purposes. Should Summit plan to administer any such survey or activity, parents will be notified in advance and given the opportunity to opt their child out.

Questions

Data Protection Officer	privacy@summitnyack.com
Records requests	Data Protection Officer (above) or the Summit main office
Summit main office	339 North Broadway, Upper Nyack, NY 10960
Online	www.summitnyack.com/data-privacy

This notice is available in Spanish on request. Este aviso está disponible en español a pedido.