

EDUCATIONAL RECORDS AND STUDENT INFORMATION

The Family Educational Rights and Privacy Act¹ (“FERPA”) provide that a parent has the right to inspect and confirm the accuracy of education records relating to his or her child. FERPA also restricts the access of outside parties to educational records.

FERPA applies to all public schools and any state or local education agency that receives Federal education funds. Compliance with FERPA is necessary if schools are to continue to be eligible to receive Federal education funds.

Policies/Annual Notification

FERPA requires that schools and local education agencies have written and accessible policies stating which educational records will be protected and which educational records may be released and the circumstances under which those records will be released. Each year schools must give parents public notice of the types of information designated as directory information. By a specified time after parents are notified of their review rights, parents may ask to remove all or part of the information on their child that they do not wish to be available to the public without their consent. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (e.g., special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school. This written policy serves as the LCCS written policy.

Educational Record Defined

An *educational record* is any written or computerized document, file, entry, or record regarding a student that is compiled by a school or local educational agency. Such information includes but is not limited to:

- a. Date and place of birth; parent and/or guardian’s address, and where the parties may be contacted for emergency purposes.
- b. Grades, test scores, courses taken, academic specializations and school activities;
- c. Special education records;
- d. Disciplinary records;

¹ FERPA is contained in the United States Code: 20 U.S.C. §1232g. The Department of Education’s FERPA regulations are contained in 34 C.F.R. Part 99.

- e. Medical and health records;
- f. Attendance records and records of past schools attended;
- g. Personal information such as, but not limited to, student identification numbers, social security numbers, photographs, or any other type of information that aids in identification of a student.

Directory Information Defined

Part of the education record, known as *directory information*, includes personal information about a student that can be made public, provided that a school has stated its policy regarding directory information in its FERPA policy. Directory information may include a student's name, address, and telephone number, and other information typically found in school yearbooks or athletic programs. Other examples are names and pictures of participants in various extracurricular activities or recipients of awards, pictures of students, and height and weight of athletes. Release of directory information is allowed as outlined below.

Parental and Legal Guardian Rights

A parent and/or a legal guardian has the right to inspect and review his or her child's education records. If upon review, a parent or legal guardian discovers any information or notation that is factually inaccurate, he or she may request the school to amend the record. The school must respond to this request in a reasonably prompt time period. This right does not include grades or educational decisions made by school personnel.

a. Request for Amendment of Education Record

Any request for an amendment to an education record must be made in writing and submitted within thirty (30) days of the discovery of the error. A request to amend any education record does not confer upon a parent or legal guardian a right to have any amendment made. The school shall respond within ten (10) days of the receipt of the request to amend. The school's response must be in writing and if the request for amendment is denied, the school must set forth the reason for the denial. The school must note any objection to an adverse decision upon the record if so requested by the parent or legal guardian.

b. Copies

The school is not obligated to provide copies of any information unless providing copies is the only means of access. The school may charge reasonable fees for copies it provides to parents.

Disclosure of Education Records and Directory Information

Generally, schools must have written permission from the parent or eligible student before releasing any information from a student's record. With the exceptions listed below, the [Name

of Charter School] will not release educational records to any person or entity outside the school without the written consent of a parent or eligible student. However, FERPA allows schools to disclose records, without consent, to the following parties:

- a. School employees who have a legitimate educational interest as defined by 34 C.F.R. Part 99;
- b. Other schools to which a student is transferring;
- c. Certain government officials listed in 34 C.F.R. Part 99 in order to carry out lawful functions;
- d. Appropriate parties in connection with financial aid to a student;
- e. Organizations conducting certain studies for the school;
- f. Accrediting organizations;
- g. Individuals who have obtained lawful court orders or subpoenas;
- h. Persons who need to know in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to specific State law.

Although the charter school may disclose, without consent, “directory” information such as a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. It is the policy of the school that it will not release any directory information unless authorized by written consent of the parent or guardian.

Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by LCCS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605**

Adopted:

Amended: