



FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

It is the policy of Cirrus Academy Charter School's Board of Directors, and Superintendent/CEO to comply with state and federal laws including Family Educational Rights and Privacy Act (FERPA), Individuals with Disabilities Education Act (IDEA) and the Pupil Protection Rights Amendment (PPRA), adhering to the confidentiality and releasing of student records and information. The Superintendent/CEO, or designee have developed rules and procedures to be followed for parents, guardians, and eligible students of any type of information designated as *Directory Information* on an annual basis and provide parents, guardians, and eligible students with an opportunity to opt out of the disclosure of any type of directory information by submitting the appropriate documentations and forms.

Family Education Rights and Privacy Act (FERPA)

Statute: 20.U.S.C. 1232 Regulations: 34 C.F.R. Part 99

The Family Education Rights and Privacy Act (FERPA) provide parents and eligible students certain rights relating to accessing education records. An eligible student is a student that is at least eighteen years of age, or attends a postsecondary school. FERPA also restricts a school's disclosure of education records. Except in limited circumstances, a school cannot disclose educational records without prior written consent from the parent or eligible student.

Additionally, schools may release "directory information" of students after providing notice to parents and eligible students that includes the types of information that the school designated as directory information, the right of a parent or eligible student to refuse to designate information related to the student as directory information, and the period of time within which a parent or eligible student must notify the school in writing that the school may not designate the information related to the student as directory information.

Student Records

It is the policy of Cirrus Academy and Charter School (“CACS”) that the School shall comply with the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Student Data Privacy, Accessibility, and Transparency Act of Georgia (the Act). For the purposes of this policy, a “parent” is defined as a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. An “eligible student” is defined as a student who has reached 18 years of age or is attending an institution of postsecondary education.

CACS shall implement procedures whereby the principal is directed to provide an annual notification to parents of students currently in attendance and eligible students currently in attendance, including parents or eligible students who are disabled or who have a primary or home language other than English, of their rights under the FERPA and the Act, either through a student handbook distributed to each student in the school or by any means that are reasonably likely to inform them of their rights.

The annual notification as required by FERPA will inform parents and eligible students of, and the applicable procedures related to, the following:

1. Parents and eligible students have the right to inspect and review the student’s educational records.
2. Parents and eligible students have the right to request an amendment to student educational records that are believed to be inaccurate, misleading, or in violation of student privacy rights.
3. Parents and eligible students must give consent prior to the disclosure of personally identifiable information contained in their student’s or their own educational record.
4. Parents and eligible students may file a complaint with the United States Department of Education concerning alleged failures of the District to comply with the requirements of FERPA.

Generally, a parent or eligible student will be permitted to obtain a copy of the student's education records upon reasonable notice to the District and payment of reasonable copying costs, if applicable.

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Confidentiality of student records shall be preserved while access is provided to parents, eligible students, and school officials with legitimate educational interests, as described in the annual FERPA notification given to parents and eligible students.

With the exception of directory information as defined below, personally identifiable information will not be released by the school district from an education record without prior written consent of the parent or eligible student, except to the extent authorized by the FERPA and its implementing regulations at 34 C.F.R. § 99.31 and the Act.

CACS designates the following information as "directory information." Unless a parent or eligible student makes a timely request to the principal CACS that such information not be designated as directory information for the individual student, such information will not be considered confidential and may be disclosed upon request.

Directory Information

Directory Information is that which may be considered of general interest to students, parents or the public. For the purpose of this policy, the following information is defined as directory information:

1. The student's name, address, electronic mail address, and date and place of birth;
2. Location and dates of attendance within the school district;
3. Participation in officially recognized activities and sports;
4. The weight and height of members of athletic teams;
5. Photograph;
6. Grade level;
7. Name of the most recent educational agency or school attended by the student; and,

8. Honors, awards, and other recognition connected with student performance at school.

Unless the parent/legal guardian or the eligible student submits a written objection to the disclosure of Directory Information within thirty (30) days of the date of enrollment or start of the school year, Directory Information may be disclosed to the public upon request. Written notification of this objection must be submitted to the Principal of CACS to avoid publication and/or disclosure of Directory Information.

Federal law mandates the disclosure of names, addresses, and telephone numbers of high school students upon request by military recruiters and institutions of higher learning. CACS will make disclosures of student directory information to military recruiters and institutions of higher education upon request, unless a parent or eligible student submits a written objection to the Principal of CACS which states their desire to prohibit the release the student's directory information. Written objections to the disclosure of Directory Information to military recruiters and institutions of higher learning must be submitted with within thirty (30) days of the date of enrollment or start of the school year.

Academic Information

For the purpose of this policy, Academic Information includes such items as individual student attendance, disciplinary records, transcripts, and test results. Such information is confidential, and access is restricted. Entries of Academic Information be based on objective factual data or observation of performance.

Academic Information is available to students' parents/legal guardians. The rights afforded to parents/guardians can transfer to the student when the student reaches eighteen years of age. Professional personnel, in the normal function of the school, may access student records. In addition, access to student records may be afforded:

1. In compliance with a judicial order or any lawfully issued subpoena. In this event, advanced notice of compliance will be given to parents/legal guardians.
2. In the event of an emergency, if knowledge of information contained within the record is necessary to protect the health and/or safety of students or other persons.
3. If students move to another attendance area or enrollment is sought outside of CACS.

Records of individual students shall be kept in a safe place of file. The student's academic record shall be maintained for a period established by the Georgia Records Retention Act.

Release of Records

Each school shall maintain a record, kept with the education records of each student which indicates all parties which have requested or obtained access to a student's records. Where the consent of a parent or eligible student is required for the release of records, it shall be in writing, be signed and dated by the person giving consent and shall give:

1. A specification of the records to be released;
2. The purpose for such release; and,
3. Identify the parties to whom such records will be released.

FERPA Hearing

The State Board requires that state operated schools provide parents or eligible students an opportunity for a hearing for the purpose of challenging the content of students' records in order to ensure the records are not inaccurate, misleading or otherwise in violation of the privacy or other rights of students. Parents or eligible students shall be provided an opportunity for the inappropriate data, and they shall be authorized to insert into the records a written explanation by the parents or eligible students respecting the contents of the records. Information such as that defined in this policy as "Academic Records" and "Directory Information" shall generally be considered as not challengeable, except to the extent that the information is recorded accurately.

CACS may attempt to settle a dispute with the parent of a student or an eligible student through informal meetings and discussions with the parent or eligible student. If the FERPA based complaint cannot be settled at the school level and there is a request for a hearing, the Principal shall provide the complaining parent or eligible student with access to a FERPA Complaint Form. Formal hearings may only be necessary when informal means are not satisfactory to the parent or the school. Procedures for formal hearings shall include the following:

The school principal shall be responsible for receiving all written complaints regarding FERPA and the Act. The school principal will provide a written response to the complaining parent or eligible student acknowledging receipt of the complaint and informing the parent or eligible student of the scheduled hearing date.

The school principal will conduct a hearing with the parent or eligible student and school official within fifteen (15) business days of receiving the complaint. The school principal shall provide an opportunity for the parents or eligible students to present relevant evidence. A decision on the Complaint shall be rendered no later than ten (10) business days following the hearing. A copy of this decision shall be sent to the parent or eligible student and Executive Director.

There is no Board level appeal, and the decision of the school principal regarding FERPA complaints is final. Parents and eligible students may seek further review of the CACS's decision by the U.S. Department of Education as outlined in the annual FERPA notification.