

450-Family Educational Rights and Privacy Act Policy (FERPA)

Approved by GWA Board of Directors on October 23, 2014

Amended 11-19-2015

It is the policy of George Washington Academy (GWA) to follow state and federal laws and guidelines pertaining to student records and family privacy rights. The following Notification of Rights will be distributed to parents or eligible students annually.

PART 1 - Family Educational Rights and Privacy Act (FERPA);

For Elementary and Secondary Schools

The Family Educational Rights and Privacy Act, (FERPA), gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students". These rights are:

1. The right to inspect and review the student's education records within 45 days after the day GWA receives a request for access.

Parents or eligible students should submit to the school Executive Director or Administrative Services Director, a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the 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 under FERPA.

Parents or eligible students who wish to ask GWA to amend a record should write the school Executive Director or Administrative Services Director, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school 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 to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for

which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. 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.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by GWA to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Or for additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.

PART 2 - Family Education Rights and Privacy Act (FERPA); Rights Regarding Children's Education Records

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that GWA, with certain exceptions, obtain parent/guardians written consent prior to the disclosure of personally identifiable information from a student's education records. However, GWA may disclose appropriately designated "directory information" without written consent, unless parent/guardian has advised the school to the contrary in accordance with school procedures. The primary purpose of directory information is to allow the school to include this type of information from a student's education records in certain school publications.

Examples include:

- A playbill, showing your student's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local education agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories -- names, addresses and telephone listings -- unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want GWA to disclose information from your child's education record without your prior written consent, you must notify the school in writing. GWA has designated the following information as directory information: Student's name, Address, phone number, parent's name, student's teacher, parent's email address, date of birth, year of birth for Hershey Track Meet, dates of attendance, awards, most recent educational institution attended by student, grade level, and photograph.

GWA shall notify the parent or guardian of a student if there is a release of the student's personally identifiable student data due to a security breach in compliance with Utah H.B.163 law.

These laws are: Section 9528 of the ESEA (20U>S>C> 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U>S>C> 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.