

RIGHTS UNDER FERPA FOR ELEMENTARY SCHOOLS

A. The Family Educational Rights and Privacy Act (FERPA) affords parent/legal guardians/legal guardians and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records (as defined in FERPA, which may be found at 20 U.S. Code Sec. 1232g. These rights are:

1. The right to inspect and review the student's education records within 45 days after the date that Eagle Academy receives a request for access.

Parents/legal guardians or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent/legal guardian 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/legal guardian or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents/legal guardians or eligible students who wish to ask that Eagle Academy amend a record should write the school principal, clearly identify the part of the record they want changed, and specify the reasons why they believe it should be changed. If the school administration decides not to amend the record as requested by the parent/legal guardian or eligible student, the school administration will notify the parent/legal guardian 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/legal guardian 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 or the regulations under it authorize 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/legal guardian or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent/legal guardian, 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. For additional exceptions to the consent requirement for disclosure, please see Sections B. and C. below.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Eagle Academy 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

B. FERPA permits the disclosure of PII by Eagle Academy from students' education records, without consent of the parent/legal guardian or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations (which can be found at 34 C.F.R. Part 99). Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information,

and disclosures to the parent/legal guardian or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents/legal guardians and eligible students have a right to inspect and review the record of disclosures. FERPA permits Eagle Academy to disclose PII from the education records of a student without obtaining prior written consent of the parent/legal guardian or the eligible student in certain cases, such as –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests (this includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (See §99.31(a)(1)); or to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer (See §99.31(a)(2).
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent/legal guardian or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35).
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4)).
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5)).
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6)).
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents/legal guardians of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8)).
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36.

(§99.31(a)(10)).

- Information the school has designated as “directory information” under §99.37.

(§99.31(a)(11)).

C. Eagle Academy may disclose, without consent, "directory information" about your student. Eagle Academy considers the following to be “directory information:” the student's name, address, telephone number, electronic mail address, photograph, date and place of birth, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, honors and awards received, the most recent educational agency or institution attended and a student ID number, user ID, or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor normally known or possessed only by the authorized user. You, as the parent/legal guardian of the student, have thirty (30) calendar days from the earlier to occur of the date of first attendance of the student at Eagle Academy or the date of first delivery of this Handbook to you (whichever occurs first) to opt out of the disclosure of all or any category of such “directory information” by providing written notice of your objection to the inclusion of any or all of the above listed information as “directory information.” Such written notice must be addressed to the School Principal at the address set forth on the first page of this Handbook and must be RECEIVED by Eagle Academy at such address within such thirty-day period.

SCHOOL VIDEO POLICY

The video cameras at Eagle Academy are utilized for both professional development and for security purposes. *School and instructional videos are not part of a student's educational record*, and will not be available for parent/legal guardian viewing or request.

SCHOOL VISITATION

All visitors must first report to the Main Office and provide identification. Visitors are required to sign the Visitor's Log and obtain a Visitor's Pass, which is to be displayed at all times while in the building. A visitor, including a parent/legal guardian, may be asked to leave the building for any behavior deemed inappropriate or disruptive by the school. All classroom visits must be arranged in advanced in an effort to preserve maximum instructional time, and prevent unscheduled disruptions.

SCHOOL VOLUNTEER PROGRAM

Purpose of the School Volunteer Program

The purpose