

Student Record/FERPA Procedures, Policies

It is the policy of the DeKalb County Board of Education that the D.A.T.E. comply with the Student Data Privacy, Accessibility and Transparency Act (“Act”) and the Family Educational Rights and Privacy Act (“FERPA”). 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 a postsecondary institution.

The C.E.O or his or her designee shall implement procedures to notify, on an annual basis, parents and eligible students, including parents or eligible students who are disabled or who have a primary or home language other than English, of their rights under the Act and FERPA either by letter or e-mail or through a student handbook distributed to each student in the District or by such other means that are reasonably likely to inform them of their rights. Such notice shall include the right to provide annual notice opting out of the disclosure of the student’s directory information. The Superintendent or his or her designee shall implement procedures by which schools may track which students have provided such annual opt-out notice.

Accurate, current, and complete student academic, attendance, and discipline records shall be maintained for each student enrolled in the DeKalb County School District./D.AT.E. Personally identifiable information from a student’s education record will not be released by the District without the prior written consent of the parent or eligible student except to the extent allowed by the FERPA and its implementing regulations at 34 C.F.R. § 99.3. Except for directory information as defined below, 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 parent notice.

Directory information may be released without prior consent unless a parent or an eligible student makes a timely request, on an annual basis, that such information not be designated as directory information for the individual student. The Academy has designated the following information as directory information:

- a. Student’s name, address, and telephone number;
- b. Student’s email address;
- c. Student’s date and place of birth;
- d. Student’s dates of attendance at school’s within the district;
- e. Grade level;
- f. Student’s major field of study;
- g. Photograph;
- h. Student’s participation in officially recognized activities and sports;
- i. Weight and height of members of athletic teams; and
- j. Degrees, honors, and awards received.

Military recruiters and institutions of higher education shall have access to secondary school student’s names, addresses and telephone listing upon request unless a parent or legal guardian has previously notified the district in writing not to release such information without prior written parental consent.

Student records shall be maintained for the minimum period of time required by the DATE’s approved retention schedules and state retention gui

NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY INSTITUTIONS AND
NOTICE FOR DIRECTORY INFORMATION
Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are: (1) The right to inspect and review the student’s education records

s within 45 days of the day the DeKalb County School District receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal 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 are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. Parents or eligible students who wish to ask the District to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them 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 privacy of personally identifiable information in 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 District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Date Board of Education; a person or company with whom the District has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, educational consultant, volunteer, or therapist); a parent or student serving 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 District 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.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District 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 20202-8520 Release of Directory Information FERPA requires that the District, with certain exceptions, obtain the written consent of a parent, guardian, or eligible student (i.e., a student over 18 years of age)

prior to the disclosure of personally identifiable information from a child’s education records. However, the District may disclose appropriately designated “directory information” without written consent, unless the parent, guardian, or eligible student has advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from a child’s education records in certain school publications. Examples include:

- A playbill, showing a student’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Information posted on the school’s or the District’s website;
- 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 the prior written consent of a parent, guardian, or eligible student.

Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, federal law requires the District to provide military recruiters, upon request, with the following information—names, addresses and telephone listings—unless the parent, guardian, or eligible student has advised the

District that they do not want their student's information disclosed without their prior written consent. A parent, guardian, or eligible student who does not want directory information to be disclosed from the student's education records without prior written consent must notify the District in writing annually within a reasonable time period after receiving this notice. The District has designated the following information as directory information: student's name, address, and telephone listing; date and place of birth; dates of attendance; grade level; major field of study; photograph; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational institution previously attended. Such notification should be sent to the student's principal.

Continued FERPA

It is the policy of the DeKalb County Board of Education and DeKalb Academy of Technology & Environment that accurate, current, and complete student academic, attendance, and discipline records shall be maintained for each student enrolled in the DeKalb County School District and DeKalb Academy of Technology & Environment. Confidentiality of student records shall be preserved in compliance with the Family Educational Rights and Privacy Act ("FERPA").

Parents (custodial and non-custodial), legal guardians, and eligible students (eligible students are defined as those 18 years of age or older, those enrolled in post secondary educational institutions, or those younger than 18 who are emancipated) may inspect and review the student's education records and may request the correction of errors in the student's records. Personally identifiable information from a student's education record will not be released by the District without the prior written consent of the parent, guardian, or eligible student except under the following circumstances:

1. School officials with legitimate educational interest, as defined by FERPA;
2. Other schools to which a student is transferring;
3. Specified officials for audit or evaluation purposes;
4. Appropriate parties in connection with financial aid to a student;
5. Organizations conducting certain studies for or on behalf of the school;
6. Accrediting organizations;
7. To comply with a judicial order or lawfully issued subpoena;
8. Appropriate officials in cases of health and safety emergencies;
9. State and local authorities, within a juvenile justice system, pursuant to specific State law; and
10. As otherwise allowed by federal or state law.

Additionally, directory information may be released without prior consent unless written DeKalb Academy of Technology & Environment to the contrary receives notice in advance, on an annual basis. The Academy and school has designated the following information as directory information: student's name, address, and telephone listing; date and place of birth; dates of attendance; grade level; major field of study; photograph; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational institution previously attended. This information may be used to create a student directory that will be available to students, parents, and the public. Parents/guardians will be given the opportunity to opt out of school directories each year by providing the school with a written notice declining the release of such information.

Student Data Privacy Complaints

It is the policy of the DeKalb County Board of Education that the DeKalb County School District shall comply with the Family Educational Rights and Privacy Act ("FERPA") and the Student Data Privacy, Accessibility, and Transparency Act, which are designed to ensure that education records and student data are kept confidential and secure from unauthorized access and disclosure.

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 a postsecondary institution.

Any parent or eligible student “Complainant” may file a complaint with the District if that individual believes or alleges that a possible violation of rights under the above laws has occurred not more than one (1) year prior to the date the complaint is received by the District.

Complaints shall be handled in accordance with the following procedures:

1. The Superintendent shall designate at least one individual (“Designee”) to respond to student data privacy complaints.
2. Upon receipt of a request from a Complainant, the Designee shall provide within 3 business days of complaint form, which may also be made available on the District’s website.
3. A written response shall be provided to the Complainant within 10 business days of the Designee’s receipt of the completed form.
4. The Complainant may file an appeal with the Superintendent within 10 business days of receipt of Designee’s response.
5. The Superintendent shall provide a written response to Complainant within 10 business days of receipt of appeal.
6. The Complainant may file an appeal to the Board of Education within 10 business days of receipt of the Superintendent’s response.
7. The Board of Education shall render a final decision within 10 business days of receipt of an appeal.