



“Climbing Toward College & Career Readiness”

Family Educational Rights and Privacy Act (FERPA) Policy

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Inspiring Collaboration, Innovation, & Empowerment

Family Educational Rights and Privacy Act Policy

The Family Educational Rights and Privacy Act¹ (“FERPA”) and the California Education Code, including Sections 49060 *et seq.*, provide that a parent has the right to inspect and confirm the accuracy of education records relating to his or her child. FERPA and the California Education Code also restrict 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

Pursuant to federal law, Ararat Charter School (“Ararat”) shall ensure the confidentiality of all pupil records. Parents are to be given annual notification as to 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.

Educational Record Defined

An “educational record” is any written or computerized document, file, entry, or record regarding a student that is compiled by Ararat. 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. Test scores, courses taken, academic specializations, and school activities;
- c. Special education records;
- d. Disciplinary records;
- e. Medical and health records;
- f. Attendance records, sign-in sheets, and records of past schools attended;
- g. Personal information such as, but not limited to, student identification numbers, social security numbers 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, electronic mail addresses, enrollment status, and other information typically found in school yearbooks or athletic programs. Other examples of directory information include the following:

- a. Student’s major field of study;
- b. Student’s participation in officially recognized activities and sports;
- c. Weight and height of athletic team members;

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.

- d. Dates of attendance;
- e. Degree and awards received;
- f. Most recent previous public or private school attended by student;
- g. A photograph.

Data on a student's grades is not considered student directory information and will not, under any circumstances, be disclosed without parental permission, a subpoena or a court order.

Parents/legal guardians are to be notified annually as to their rights to direct Ararat not to disclose directory information without prior written consent. A copy of Ararat's **Notification for Release of Directory Information** is attached to this policy.

Parents/legal guardians must notify Ararat by the fourth (4th) Friday of the school year if the parent/legal guardian wishes for Ararat to not disclose directory information without prior written consent

Parental and Legal Guardian Rights

A parent and/or legal guardian has the right to inspect and review his or her child's educational records. If upon review a parent/legal guardian discovers any information or notation that is factually inaccurate, he or she may request for Ararat to amend the record. This parental right does not include grades or educational decisions made by school personnel. Ararat shall respond to this request in a reasonably prompt time period – generally within five (5) working days.

a. **Request for Amendment of Education Record**

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

b. **Copies**

Ararat is not obligated to provide copies of any information unless providing copies is the only means of access. Ararat 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. Subject to the exceptions listed below, Ararat 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 authorizes Ararat 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
- i. State and local authorities within a juvenile justice system, pursuant to state law.

Although Ararat may disclose directory information without prior written consent, parents who do not wish to not have their children's directory information released shall timely notify Ararat in writing. Upon receiving such request, Ararat will refrain from releasing directory information without parental consent.

Obtaining Written Consent

"Consent" under this policy means written consent, which must come either from the student's parent or legal guardian, or from an adult student, as applicable. Consent must be obtained on Ararat's standard form for consenting to the disclosure of educational records, and all blanks on the form must be fully and accurately completed before any information may be released. Any consent to disclose educational records (which includes directory information for those students whose file includes a written request to withhold directory information) must specify the student records to be released, must identify the party or class of parties to whom the records may be released, and must be permanently kept within the student's cumulative file. A copy of Ararat's **Consent to Release Confidential Student Information** is attached to this policy.

Complaints

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Ararat 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**



NOTIFICATION FOR RELEASE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act ("FERPA"), a Federal law, requires that Ararat Charter School ("Ararat"), with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Ararat may disclose appropriately designated "directory information" without written consent, unless you have advised Ararat to the contrary in accordance with this policy.

"Directory information" is information that is generally not considered harmful or an invasion of privacy if released. Directory information can 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. Ararat has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Awards received
- Most recent previous public or private school attended by student
- Student's participation in officially recognized activities and sports
- Weight and height of athletic team members

If you do not want Ararat to disclose directory information from your child's education records without your prior written consent, please notify the Principal at:

**Ararat Charter School
6555 Sylmar Ave.
Van Nuys, California 91401**

You must notify Ararat in writing by the fourth (4th) Friday of each school year.



CONSENT TO RELEASE CONFIDENTIAL STUDENT INFORMATION

Student's Name: _____

Grade: _____ Student's Date of Birth: _____

CHECK ONE:

- I am the Parent or Legal Guardian of the above named student, a non-emancipated student under the age of 18. I hereby consent to the release of confidential student information relating to this student.
- I am an emancipated student or student over 18 years of age. I hereby consent to the release of my confidential student information.

CHECK ONLY IF APPLICABLE:

- Purpose of Release**—If consent is being given to release this information for a particular purpose, please describe this purpose:

- Time Limit**—If consent is being given to release this information during a particular period of time, please write the beginning date and ending date of consent:

Beginning Date: _____ Ending Date: _____

Signed: _____ Date: _____

Printed Name: _____