



ANNUAL NOTIFICATION OF FERPA RIGHTS

This serves as the notification of rights under the Family Educational Rights and Privacy Act for Fenton Charter Public Schools-operated charter schools (hereinafter "FCPS"). 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. FCPS stores various student records, including, but not limited to, transcripts, enrollment records, disciplinary records, and immunization records.

These rights are:

- (1) The right to inspect and review the student's education records within 45 days of the day the FCPS receives a request for access under FERPA.

Parents or eligible students should submit written requests for access to the school (e.g., Director). This written request that identifies the record(s) they wish to inspect. FCPS will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected consistent with applicable law and FCPS policies.

- (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 FCPS to amend a record should send a written request to the school (e.g., Director). The written request should clearly identify the part of the record they want changed, and specify why it should be changed. If FCPS decides not to amend the record as requested by the parent or eligible student, FCPS 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.

FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the parent or eligible student, if the disclosure

meets certain conditions found in § 99.31 of the FERPA regulations. 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 or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. FCPS may disclose personally identifiable information from the education records of a student without obtaining prior written consent of the parents or the eligible student for limited circumstances, including, but not limited to –

- 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, attorneys, 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)(3) are met.
 - 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 if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34.
 - To accrediting organizations to carry out their accrediting functions.
 - To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
 - To appropriate officials in connection with a health or safety emergency, subject to § 99.36.
 - To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School 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

FCPS will not release information to third parties for immigration-enforcement purposes, except as required by law or court order. Unless FCPS is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, FCPS shall notify parents or guardians and eligible students—and receive their written consent—before it releases a student’s personally identifiable information.

Directory Information

FERPA requires that FCPS, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, FCPS may disclose appropriately designated “directory information” without written consent, unless you have advised FCPS to the contrary.

The primary purpose of directory information is to allow FCPS to share information from your child’s education records. Examples include: a playbill, showing your student’s role in a drama production; the annual yearbook; Honor roll or other recognition lists; Graduation programs; sharing information with Family Center and Health Department; 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 educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information – 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 FCPS to disclose any or all of the types of information designated below as directory information from your child’s education records without your prior written consent for a school year, you must notify your school’s Director in writing by the end of the first week of the school year. FCPS has designated the following information as directory information: name, address, telephone, date of birth, dates of attendance and previous school(s).