



## Family and Privacy Act (FERPA)

The [Family Educational Rights and Privacy Act](#) (FERPA) of 1974 is a federal law that governs the release and protects the privacy of student records. Under this act, parents or students 18 years of age have the right to review, inspect, and request corrections to student records (attendance, disciplinary, administrative). It also requires that Coweta Charter Academy, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from a child's education records.

In accordance with the Family Educational Rights and Privacy Act (FERPA), parents and students over 18 years of age ("eligible students") have certain rights with respect to the student's education records, as follows:

- The right to inspect and review the student's education records within 45 days of the day the school receives a written request for access.
- The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

There are several exceptions to the rule regarding the privacy of students' educational records. One exception is that Coweta Charter Academy may disclose certain "directory information", which is generally not considered harmful or an invasion of privacy if released, without prior written consent unless you have advised the school system otherwise. This allows the system to include this type of information from your child's education records in certain school publications such as the yearbook, honor roll, and graduation programs.

"Directory information" may also be included on school, classroom or school system websites or blogs that can be downloaded or viewed inside or outside the school system. Additionally, the school system may release this information to the following

outside organizations: law enforcement agencies, State and Federal Child Welfare Agencies, District Attorney and Solicitor's Offices, PTA/PTSA, booster clubs, U.S. Armed Forces recruitment agencies (in accordance with Section 9528 of the No Child Left Behind Act), schools and colleges accredited by the Southern Association of Colleges and Schools, and companies the school system uses to manufacture school items or curriculum such as the yearbook, Canvas, FlexPoint, etc.

**Coweta Charter Academy has designated the following as directory information:**

- Student's name
- Student's grade level
- Dates of attendance at Coweta Charter Academy

Another 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); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or 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.

The Uninterrupted Scholars Act (Public Law 112-278) enacted on January 14, 2013, amends the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99, to permit educational agencies and institutions to disclose a student's education records, without parental consent, to a caseworker or other representative of a State or local child welfare agency or tribal organization 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 specified types of judicial proceedings in which a parent is involved, the Act also allows educational agencies and institutions to disclose a student's education records pursuant to a judicial order without requiring additional notice to the parent by the educational agency or institution.

Upon request, the School releases education records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of the Individuals with Disabilities Act (IDEA), to officials of another school district or postsecondary institution at which the student seeks or intends to enroll. Such

release of records will be initiated upon receipt of an official written request on school or district letterhead.

Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the school system 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, DC 20202-5901

### **Release of Student "Directory" Information**

Under section 9528 of the No Child Left Behind Act of 2001 (NCLB), local school districts are required to disclose the names, addresses, and telephone numbers of high school students upon request by military recruiters and institutions of higher learning, unless individual students 18 or older or their parents request that the information not be released. NCLB also requires your school district to inform your students and their parents of their "opt-out" rights under this section, and your school district must comply with any request for non-disclosure received. Section 9528 of NLCB does not require disclosure of any information that is not considered directory information under FERPA, or the Buckley Amendment, 20 USC 1232g, and mirrors FERPA's provisions regarding the withholding of directory information from military recruiters.

### **School Access to Military Recruiters**

In addition, the school districts are obligated to provide military recruiters with the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students as outlined in NCLB §9528(a)(3).

If you do not want Coweta Charter Academy to disclose all or any part of the directory information from your child's educational records without your prior written consent, you must notify the superintendent in writing within two weeks of enrolling your child during the school year.