

It shall be the policy of the Webster County Board of Education that all employees shall comply with the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Pupil Protection Rights Amendment (PPRA). The Board has developed and adopted student privacy policies in consultation with parents in accordance with federal law. Additionally, parents will be directly notified of these policies at least annually via the Student/Parent Handbook issued to students at the beginning of the school year or at the student's time of enrollment.

The Superintendent shall implement procedures whereby every principal is directed to develop a means to notify, on an annual basis, students and parents, including non-English-speaking parents, of their rights under the Family Educational Rights and Privacy Act and the Pupil Protection Rights Amendment, either by letter or through a student handbook distributed to each student in the school.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Confidentiality of student records shall be preserved while access is provided to parents, eligible students (those over eighteen years of age or enrolled in post-secondary educational institutions), professional educators with legitimate educational interests, and those federal or state officials whose access is authorized in connection with an audit or evaluation of federal or state supported education programs or for the enforcement or compliance with federal legal requirements related to those programs. The Superintendent shall direct the publication of procedures through which parents or eligible students may request the correction of errors in student records.

Webster County Board of Education designates the following information as "directory information." Unless a parent or eligible student makes a timely request to the principal of the school where the student is enrolled that such information not be designated directory information on the individual student, such information will not be considered confidential and may be disclosed upon request.

- (a) Student's name, address and telephone number;
- (b) Student's date and place of birth;
- (c) Student's e-mail address;
- (d) Student's participation in official school clubs and sports;
- (e) Weight and height of student if he/she is a member of an athletic team;
- (f) Dates of attendance at the Webster County School System;
- (g) Honors and awards received during the time enrolled in Webster County School System.
- (h) Video, audio or film images or recordings;
- (i) Photograph; and
- (j) Grade level.

Student records shall be provided to schools within or outside the Webster County School System upon request of the school where a student is enrolling in accordance with Georgia Board of Education Rule 160-5-1-.14, Transfer of Student Records.

Procedures for Obtaining Access to Student Records

Any parent whose parental rights have not been specifically revoked by court order, any guardian, or any individual acting as a parent in the absence of a parent or guardian may inspect the education records of his or her child.

Generally, a parent will be permitted to obtain a copy of education records of his child upon reasonable notice and payment of reasonable copying costs.

With the exception of directory information as defined above, personally identifiable information will not be released by the school system from an education record without prior written consent of the parent or eligible student except where authorized by federal law. These circumstances include, but are not limited to:

1. Disclosures will be made to school administrators, teachers or other professionals employed or associated by the school system who have some role in evaluating or educating the student.
2. Records will be sent to a school where the student has enrolled upon request of the institution.
3. Disclosures will be made to federal or state officials in connection with the audit of educational programs;
4. Disclosures will be made in connection with financial aid applications of the student to determine the eligibility for and amount of aid as well as enforcement of the terms and conditions of financial aid.
5. Disclosures will be made to comply with state law, Internal Revenue Service laws and regulations, judicial orders or lawfully issued subpoenas. Unless otherwise required by a judicial order or federal grand jury subpoena, a reasonable effort will be made to notify parents or students in advance of such disclosures.
6. Disclosures will be made to organizations conducting studies on behalf of or by educational institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction.
7. Disclosures will be made to accrediting institutions to carry out their accrediting function.
8. Disclosures will be made in connection with a health or safety emergency.
9. Disclosures will be made to the Attorney General of the United States or to his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in 18 U.S.C. §§ 2332(b)(5)(B) and 2331.

Each records custodian in Webster County School System shall maintain a record of each request for access to and each disclosure of personally identifiable information from the educational records of a student in accordance with regulations governing the Act.

A parent or eligible student who believes his record contains an error may request its correction by submitting a written explanation of the error and the basis for believing it to be in error to the principal or his or her designee, who shall investigate and determine whether or not to amend the record. If the matter cannot be thus resolved, a parent or eligible student may request a hearing pursuant to federal regulations at 34 C.F.R. § 99.21-99.22 as well as applicable state regulations. If the hearing results in a determination that the record contained erroneous information, it shall be corrected and

the parent or eligible student shall be informed in writing of the correction; if the information contained in the record is determined not to be erroneous, the parent may place a statement in the record commenting upon the contested information and stating the basis for disagreement. The statement shall thereafter be disclosed whenever the portion to which it relates is disclosed.

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

Definition of Terms Used in PPRA:

"Instructional Material" - Instructional material that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as material accessible through the Internet). The term does not include academic tests or academic assessments.

"Invasive Physical Examination" - Any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

"Personal Information" - Individually identifiable information including: (1) a student or parent's first and last name; (2) home address; (3) telephone number; or (4) social security number.

Requirements:

No student shall be required to submit to a survey, analysis, or evaluation that reveals information concerning:

- 1) Political affiliations or beliefs of the student or the student's parent;
- 2) Mental or psychological problems of the student or the student's family;
- 3) Sex behavior or attitudes;
- 4) Illegal, anti-social, self-incriminating, or demeaning behavior;
- 5) Critical appraisals of other individuals with whom respondents have close family relationships;
- 6) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- 7) Religious practices, affiliations, or beliefs of the student or student's parent; or
- 8) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without prior written consent of the parent or eligible student.

A parent of a student may, upon request, inspect any survey created by a third party containing one or more of the items listed as (1) through (8) above before the survey is administered or distributed by a school to a student and may choose to opt the student out of participation in the survey. The Superintendent shall develop procedures for: (1) granting a request by a parent for reasonable access to such survey within a reasonable period of time after the request is received, and (2) making arrangements to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the items listed as (1) through (8). The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

A parent of a student may, upon request, inspect any instructional material used as part of the educational curriculum for the student. The Superintendent shall develop procedures for granting a request by a parent for reasonable access to instructional material within a reasonable period of time after the request is received.

Parents shall be notified prior to the administration of physical examinations or screenings that the school may administer to students. This notice shall offer the parent the opportunity to opt the student out of any nonemergency, invasive physical examination or screening that is (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of the student, or of other students.

The parent of a student shall be notified prior to the commencement of activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose). Such notice shall offer the parent the opportunity to inspect, upon request, any instrument used in the collection of such information before the instrument is administered or distributed to a student and to opt the student out of such activities. The Superintendent shall develop procedures that: (1) make arrangements to protect student privacy in the event of such collection, disclosure, or use, and (2) grant a request by a parent for reasonable access to such instrument within a reasonable period of time after the request is received.

ADOPTED: April 10, 2006

- O.C.G.A. 15-11-66 Delinquent children - court adjudication
- O.C.G.A. 19-07-5 Reporting child abuse
- O.C.G.A. 20-2-1013 Free textbook system; care and protection of textbooks and materials
- O.C.G.A. 20-2-0160 Determination of enrollment; determination of funding
- O.C.G.A. 20-2-0320 Information Steering Committee re: QBE Program
- O.C.G.A. 20-2-0697 Cooperation of principals and teachers with attendance officers and visiting teachers
- O.C.G.A. 20-2-0720 Inspection of student's records by parents
- O.C.G.A. 20-2-0757 Applicability of public inspection and open meeting laws
- O.C.G.A. 24-9-47 Disclosure of AIDS confidential information
- O.C.G.A. 31-22-9.1 HIV tests - Who may perform test
- O.C.G.A. 40-5-22 Requirements for licensure; school attendance requirements
- O.C.G.A. 49-05-040 Child Abuse and Deprivation Records; definitions, confidentiality of records
- O.C.G.A. 50-18-70 Inspection of public records
- O.C.G.A. 50-18-72 When public disclosure is not required
- Rule 160-5-1-.14 Transfer of Student Records

US Code

20 USC 1232g Family Educational Rights and Privacy Act of 1974 (FERPA)
20 USC 1232h General Education Provisions Act (20 U.S.C. § 1232h), as
 amended, 1994

Webster County School District