

**NOTICE TO PARENTS/GUARDIANS AND ELIGIBLE STUDENTS OF RIGHTS UNDER
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
AND PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

FERPA affords parents and eligible students (over 18 years of age or attending a postsecondary institution) certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review, within 45 days of a request, the education records of a student who is your child, or in the case of a student who is eighteen (18) or older, your own education records. Parents or eligible students should submit to the Superintendent a written request identifying the record(s) they wish to inspect. The Superintendent or designee will make arrangements for access and provide notice of such arrangements.
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. To request the school district to amend a record, parents or eligible students should write the school principal, specify the part of the record they want changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. If the district decides not to amend the record, it will notify the parents or eligible students of the decision and inform them of their right to a hearing. Additional information regarding the hearing procedure will be provided with the notification of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and its implementing regulations authorize disclosure without consent. One exception that permits disclosure without consent is to school officials with legitimate educational interest. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including school nurses and school resource officers); a member of the school board; a person or company with whom the district has contracted to perform a specific task (such as attorney, auditor, medical consultant or therapist); a contractor consultant, volunteer, or other party to whom the school district has outsourced services; 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/her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his/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. FERPA requires the school district, with certain exceptions, to obtain written consent prior to the disclosure of personally identifiable information from the student's education records. However, the district may disclose appropriate designated "directory information" without written consent, unless the parent 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 school to include this type of

information from the student's education records in certain school publications, such as the annual yearbook, graduation or sports activity programs, and honor roll or other recognition lists.

The School District has designated the following information as directory information:

[Note: The board may, but does not have to, include all the information listed below. Information listed must be consistent with those items designated in board policy].

- (a) Student's name, address and telephone number;
- (b) Student's date and place of birth;
- (c) Student's participation in official school activities and sports;
- (d) Weight and height of members of an athletic team;
- (e) Dates of attendance at schools within the district;
- (f) Honors and awards received during the time enrolled in district schools;
- (g) Photograph; and
- (h) Grade level.

Unless you, as a parent/guardian or eligible student, request otherwise, this information may be disclosed to the public upon request. In addition, two federal laws require school systems receiving federal financial assistance to provide military recruiters, upon request, with students' names, addresses, and telephone numbers unless parents have advised the school system that they do not want their student's information disclosed without their prior written consent. You have the right to refuse to allow all or any part of the above information to be designated as directory information and to refuse to allow it to be disclosed to the public upon request without your prior written consent. If you wish to exercise this right, you must notify the principal of the school at which the student is enrolled in writing within 30 days after officially enrolling in school or within 30 days of the date of the release of this notice.

5. You are also notified that from time to time students may be photographed, videotaped, or interviewed by the news media at school or some school activity or event; unless you, as a parent/guardian object in writing to the principal to your student being photographed, videotaped or interviewed. You must notify the principal of your objection by the date specified above. The principal will take reasonable steps to control the media's access to students. However, your submission of a written objection does not constitute a guarantee that your student will not be photographed, videoed, or interviewed, or that such information will not be posted on websites or social media sites not affiliated with the school or district, or in circumstances which are not within the knowledge or control of the principal.

6. You have the right to file with the United States Department of Education a complaint concerning alleged failures by the school district to comply with the requirements of FERPA or the regulations promulgated there under. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education,
400 Maryland Avenue, SW
Washington, D.C. 20202

PARENT/ELIGIBLE STUDENT DATA PRIVACY COMPLAINT POLICY

The Student Data Privacy, Accessibility, and Transparency Act is a Georgia state law that is designed to ensure student data is kept private and secure from unauthorized access. Any parent or eligible student ("Complainant") may file a complaint with the local school system if that individual believes and alleges that a possible violation of rights under the federal or state privacy and security laws has occurred. A parent is defined as a natural parent, as 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 an institution of postsecondary education.

O.C.G.A. § 20-2-667 Parental and student review of education record; model policies subsection (g)(1) directs the Georgia Department of Education to develop model policies and procedures for a parent or eligible student to file a complaint with an LEA regarding a possible violation of rights under federal or state student data privacy and security laws.

The purpose of this policy is to ensure that parents or eligible students are provided a formal process to file a complaint with a local school system regarding a possible violation and to set forth the official process that the local school system must use to handle the complaint. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received.

In accordance with O.C.G.A. § 20-2-667 section(g)(1), Whitfield County School System policy is as follows:

1. Any Parent/Eligible Student with a complaint should request, in writing, a Parent/Eligible Student Complaint form from the following official:

Chris Parker
Director of Student Services
201 East Tyler Street, Dalton, GA 30721
2. The Complainant will be provided a complaint form within 3 business days of receiving the request.
3. A written response must be provided to Complainant within 10 business days of receipt of complaint.
4. The Complainant may file an appeal with the local school superintendent within 10 business days of receiving written response from local school system.
5. Parents or eligible student may file an appeal for a final decision to the local board of education within 10 business days of receipt of written response from local school system.
6. Local boards of education must render a decision within 10 business days of receiving an appeal.