



## **POLICIES AND PROCEDURES REGARDING STUDENT EDUCATION RECORDS AND THE RIGHTS OF PARENTS AND STUDENTS UNDER FEDERAL LAW CONCERNING CONFIDENTIALITY**

Mastery Charter Schools (MCS) protects the confidentiality of personally identifiable information regarding its exceptional and protected handicapped students in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and other disability Federal and state laws.

Educational records mean those records that are directly related to the student that are maintained by MCS or by an entity acting for MCS. For all students, MCS requires educational records that include, but are not limited to:

- Personally Identifiable Information – confidential information that includes, but is not limited to, the student's name, name of parents and other family members, the address of the student or the student's family and other information or personal characteristics that would make the student's identity easily identifiable.
- Directory Information – information in an education record of a student which would not be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the student's name, address, telephone number, date and place of birth, major fields of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school or institution attended.

Directory information may be released without parent or student consent. Parents or students have the right to ask the agency to designate any or all of the student's information as directory information.

However, MCS must obtain parent or student consent before disclosing identifiable information to anyone not entitled to it under law. (Note: a student can take the place of a parent to release information if the student is eighteen years old or attending a secondary institution.) Consent means the parent or student has been fully informed regarding the actual required consent, in their native language or normal mode of communication. They understand and agree in writing to the activity and they understand that consent is mandatory before MCS may disclose identifiable information to anyone not entitled to it under law and may be revoked at any time.

Parents have the right to inspect and review the student's educational records. MCS will comply with a request to inspect and review educational records without unnecessary delay regarding an IEP or any due process hearing, but in no case more than thirty days after the request has been made. Parents have the right to require copies of the records. While MCS cannot charge a fee to search for the records, it may charge a copying fee as long as it does not effectively prevent the parents from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any educational record contains information on more than one child, parents have the right only to inspect and review information relating to their child.

If parents think information in an education record is inaccurate, misleading, or violates the privacy or other rights of their child, they may request amendment of the record. MCS will decide whether or not to amend the record and will notify the parent in writing of the election. If MCS refuses to amend the record, it will inform the parents of their right to a hearing to challenge the disputed information.

Such record hearings will be held within a reasonable amount of time after a parent's request and the parent shall be entitled to the date, time, and place a reasonable time in advance. The hearing may be conducted by any individual, including a MCS official, who does not have a direct interest in the outcome of the hearing. The parent will have a full and fair opportunity to present evidence at the hearing and may be assisted or represented by one or more individuals including an attorney.



MCS will make its decision in writing in a reasonable time after the hearing. The decision is based solely on the evidence presented at the hearing and includes a summary of the evidence and reasons for its decision. If the hearing decision is that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, MCS will amend the information and inform the parent in writing. If the hearing decision is that the information will not be amended, the parents have the right to place in the educational record setting forth reasons for disagreeing with the hearing decision. Any such explanation located in the records of a child will be maintained as long as the records of the child are maintained and will be disclosed whenever the record is disclosed to any party.

MCS will inform the parent when generally identifiable information is no longer needed to provide educational services to a child. Such information must be destroyed at the request of the parents. Moreover, a permanent record of student's name, address and phone number, his or her grades, attendance records, classes attended, grade level completed and year completed, must be maintained without time limitations. "Destruction" of records means physical destruction or removal or personal identifiers from information so that the information is no longer personally identifiable.

MCS will provide, upon request, a listing of the types and locations of educational records maintained, the school officials responsible for these records, and the school personnel authorized to see personally identifiable information. Such personnel receive training and instruction regarding confidentiality. MCS keeps a record of those obtaining access to educational records, including: the name of the party, the date access was given; and the purpose for which the party is authorized to use the records.

MCS will provide a copy of its confidentiality policy upon request. Complaints may be filed with the Family and Educational Rights and Privacy Act Office, U.S. Department of Education, in Washington, D.C.

**NO SIGNATURE REQUIRED**