



SECTION III: STUDENT POLICIES 3140

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) provides parents and students over 18 years of age (“eligible students”) certain rights regarding the student’s education records. These rights are:

- 1) The right to inspect and review the student’s education records within 45 days of the day the School receives a request for access.

To request an inspection and review, the parent or eligible student should submit a written request to the Operations Manager that identifies the record (s) they wish to inspect. The Operations Manager makes arrangements for access and notifies the parent or eligible student of the time and place where the records may be inspected.

- 2) The right to request an amendment of the student’s education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the Operations Manager, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School notifies the parent or eligible student of the decision and advises him/her of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures is provided to the parent or eligible student when notified 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 allows disclosure without consent.

One exception that permits the School to disclose information without consent is when the School discloses information to school officials with legitimate educational interests. A school official is a person employed by or contracted to provide services to or designated by the contractor to provide services to 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 Board of Directors of the School; 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.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

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- 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 Ave., S.W.
Washington D.C. 20202-4605

FERPA requires that the School, with certain exceptions, obtain a parent's or eligible student's written consent prior to the disclosure of personally identifiable information from a child's education records. However, the School may disclose "directory information" without written consent, the parent or eligible student, have advised the School in writing that he/she does not want all or part of the directory information disclosed. The method for objecting to disclosure of directory information is specified below. The primary purpose of directory information is to allow the School to include the following information from education records in certain school publications or disclose it to certain parties. Examples include:

- Shipment of computer and school materials to and from student's home
- Entry of student enrollment information into a computer database for use by school officials
- Honor roll or other recognition lists
- Sports activity sheets, such as for wrestling, showing weight and height of team members
- School yearbook

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can be disclosed to outside organizations without a parent's prior written consent. In addition, federal law requires the School to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents or eligible students have advised the School in writing that they do not want their student's information disclosed without prior written consent.

The School has designated the following information as directory information:

- name
- address
- telephone number
- e-mail address
- photo
- athletic information
- honor roll status
- grade level
- activities and clubs
- awards

If there are certain items the School has chosen to designate as directory information that parents/learning coaches do not want disclosed from their student's education records, without their prior written consent, parents/learning coaches are encouraged to send an e-mail identifying the information they do not want disclosed, the student's name, and the name of the virtual academy or

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affiliate school in which the student is enrolled to: chpitts@okvirtual.org. This e-mail must be sent within 30 days of the first day the student attends school.

Notice of these rights is available, upon request, on audiotape, in Braille, and in languages other than English. The Oklahoma Department of Education may be contacted at (405) 521-3301.

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