



BOARD POLICY ON PRIVACY OF SCHOLAR INFORMATION (FERPA)

Purpose

The Governing Board believes that personal information concerning John Adams Academy Scholars and their families should be kept private in accordance with local, state and federal law applicable to charter schools. This constitutes the Annual Notification of FERPA Rights for all John Adams Academy charter schools.

The Superintendent or designee shall develop processes and procedures for protecting information concerning scholars and their families and shall consider input from parents/guardians regarding the application of this policy.

Collection of Personal Information for Marketing Purposes

The Board prohibits staff from administering or distributing to scholars survey instruments that are designed for the purpose of collecting personal information for marketing or for selling that information.

Requirements regarding the collection of personal information for marketing or sale to scholars shall not apply to the collection, disclosure, or use of personal information collected from scholars for the purpose of developing, evaluating, or providing educational products or services for, or to, scholars or educational institutions, such as the following: (20 USC 1232h)

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about scholars (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
5. The sale by scholars of products or services to raise funds for school-related or education- related activities
6. Scholar recognition programs

Access to Scholar Records

Parents shall have the right to inspect and review the education records of their children. If any material or document in the education record of a scholar includes information on more than one scholar, the parents of one of such scholars shall have the right to inspect and review only such part of such material or document as relates to such scholar or to be informed of the specific information contained in such part of such material. Parents or eligible scholars should submit to the Superintendent or designee a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible scholar of the time and place where the records may be inspected. The school shall establish appropriate procedures for the granting of a request by parents for access to the education records of their children within a reasonable period of time, but in no case more than forty-five days after the request has been made.

Right to Request Amendment of Scholar Education Records

Parents of scholars who are or have been in attendance at a John Adams Academies, Inc. school are to be provided an opportunity to challenge the content of such scholar's education records, in order to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy rights of scholars, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein and to insert into such records a written explanation of the parents respecting the content of such records.

Please note that this right to request an amendment to scholar records does not allow families to challenge subjective educational decisions (e.g., grading of an essay). Any such requests should be directed in writing to the Superintendent.

Right to Provide Written Consent Before Certain Disclosures

One 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) or a person serving on the school Board of Directors. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information (PII) from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or scholar volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, scholar, or other

volunteer 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 scholar seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the scholar's enrollment or transfer.

Note that John Adams Academy will not release information to third parties for immigration- enforcement purposes, except as required by law or court order.

U.S. Department of Education

Parents have the right to file a complaint with the U.S. Department of Education concerning alleged failures by John Adams Academy 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 Avenue, SW
Washington, DC 20202

Potential Disclosure of Information

FERPA permits the disclosure of PII from scholar's education records, without consent of the parent or eligible scholar, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. John Adams Academy charter schools may disclose PII from the education records of a scholar without obtaining prior written consent of the parents or the eligible scholar:

1. To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions. (§99.31(a)(1).)
2. To officials of another school, school system, or institution of postsecondary education where the scholar seeks or intends to enroll, or where the scholar is already enrolled if the disclosure is for purposes related to the scholar's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2).)
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible scholar's State. (§§99.31(a)(3) and 99.35.)

4. In connection with financial aid for which the scholar has applied or which the scholar has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4).)
5. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the scholar whose records were released, subject to § 99.38. (§ 99.31(a)(5).)
6. To organizations conducting studies for, or on behalf of, the school, in order to:
(a) develop, validate, or administer predictive tests; (b) administer scholar aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6).)
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7).)
8. To parents of an eligible scholar if the scholar is a dependent for IRS tax purposes. (§99.31(a)(8).)
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9).)
10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10).)
11. Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
12. To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a scholar'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 scholar in foster care placement. (20 U.S.C. § 1232g(b)(1)(L).)
13. To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K).)

John Adams Academy will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

Directory Information

As stated above, John Adams Academy may disclose appropriately designated

“directory information” without written consent, unless you have advised John Adams Academy to the contrary in accordance with our procedures. The primary purpose of directory information is to allow the John Adams Academy to include information from your child’s education records in certain school publications. Examples include:

- A playbill, showing your scholar’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets showing, for example, weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require John Adams Academy to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised John Adams Academy that they do not want their scholar’s information disclosed without their prior written consent.

If you do not want John Adams Academy to disclose any or all of the types of information designated below as directory information from your child’s education records without your prior written consent, you must notify John Adams Academy in writing by the first day of each school year. John Adams Academy has designated the following information as directory information:

- Scholar's name
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Parent’s/guardian’s name
- Parent’s/guardian’s telephone number
- Parent’s/guardian’s email address

