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FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT(FERPA) NOTIFICATION			
BOD approval date:	N/A	Number:	10.003
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I. PURPOSE

- A. The Family Educational Rights and Privacy Act (FERPA) and the Illinois School Student Records Act (ISSRA) require that the Acero Charter School, Inc., (Acero) inform parents of certain rights with respect to the student's education records. This policy contains a description of parents' and students' rights concerning school student records.
- B. Acero shall ensure that this policy is distributed to all student families on an annual basis.

II. REFERENCES

- A. Family Educational Rights and Privacy Act (FERPA)
- B. Illinois School Student Records Act (ISSRA)

III. DEFINITION

- A. Temporary Student Records – Any writing or other recorded information, other than a Permanent Student Record, maintained by a school or by an employee of a school that allows for the individual identification of a student, regardless of how or where the information is stored. Such information must be retained in the student's file for five years after a student graduates, transfers, or withdraws from Acero. Temporary student records may include family background information, intelligence test scores, aptitude test scores, psychological and personality test results, teacher evaluations, and other information of clear relevance to the education of the student. In addition, temporary records shall include any information regarding serious disciplinary matters concerning the student, as defined by Acero's policies. The following shall not be deemed Temporary Student Records by Acero: writings or other recorded information maintained by an employee of a school or other person at the direction of a school for his or her exclusive use, provided that all such records are destroyed not later than the student's graduation or permanent withdrawal from the school. No such records or recorded information may be released or disclosed to any person except a person designated by the school as a substitute unless they are first incorporated in a school student record and made subject to all of the provisions of this Act, and any other legal protections.

- B. Permanent Student Records – A student’s Permanent Student Record includes the minimum information necessary for use by a school in the education of the student. Such information must be retained in the student’s file for sixty years after a student graduates, transfers, or withdraws from Acero, and shall consist of the following information: the student’s name, birth date, address, grades and grade level; parent’s names and addresses; high school state assessment scores; an academic transcript; honors or awards received; accident reports and health records; attendance record; and records release forms.

- C. Directory Information – Acero has designated the following information as directory information:
 - 1. student’s name;
 - 2. address;
 - 3. telephone listing;
 - 4. electronic mail address;
 - 5. photograph;
 - 6. date of birth;
 - 7. dates of attendance;
 - 8. grade level;
 - 9. participation in officially recognized activities and sports;
 - 10. weight and height of members of athletic teams;
 - 11. degrees, and
 - 12. honors and awards received.

IV. POLICY

A. Disclosure of Directory Information

Except in limited circumstances, FERPA and ISSRA prohibit Acero from disclosing student information without the prior written consent of a student’s parent or legal guardian. However, Acero may disclose Directory Information, which is information that is generally not considered harmful or an invasion of privacy if released, to outside organizations without the prior written consent of a parent or legal guardian. If a parent or legal guardian does *not* want Acero to disclose Directory Information from their child’s education records without their prior written consent, the parent or legal guardian must notify Acero in writing.

B. Disclosure of Personally-Identifiable Information

- 1. Generally: As mentioned above Acero may disclose non-directory information concerning students (including personally-identifiable information or “PII”) without the express written consent of a parent or legal guardians only in limited circumstances. While parents and legal guardians always have the right to consent to the disclosure of any non-directory information or student records by providing written consent, Acero may disclose non-directory information or certain student records without consent as follows:
 - a. To a parent, legal guardian, eligible student, or person specifically identified as a representative by the parent(s);
 - b. To other school officials, including teachers or employees, within the educational agency, institution, or State Board whom the school has determined to have legitimate demonstrable education or administrative educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school

- has outsourced institutional services or functions;
 - c. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer;
 - d. To any person specifically required by state or federal law;
 - e. To individuals or organizations in connection with financial aid for which the student has applied or which the student 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;
 - f. 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 student's State (SEA). Disclosures under this provision may be made in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
 - g. 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 student whose records were released;
 - h. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction;
 - i. To juvenile authorities who request such information when necessary for the discharge of their official duties before the student's adjudication;
 - j. To accrediting organizations to carry out their accrediting functions;
 - k. To comply with a judicial order or lawfully issued subpoena; or
 - l. To appropriate officials in connection with a health or safety emergency, if the knowledge of such information is necessary to protect the health or safety of the student or other persons.
2. Parents or legal guardians have the right to file a complaint with the U.S. Department of Education concerning allegations that Acero has failed 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

3. Parents or legal guardians have the right to file a complaint alleging that Acero has failed to comply with ISSRA by directing those complaints to Chicago Public Schools and, then, to the State Superintendent of Education.
4. Compliance with Subpoenas and Court Orders:

Upon receipt of a court order of protection, Acero shall deny to any person against whom an order of protection has been entered concerning a student the right to

inspect any records. However, a non-custodial parent or legal guardian is entitled to review and copy school student's records unless the parent or legal guardian is expressly prohibited by a court order or order of protection.

5. Military Recruiters and Institutions of Higher Learning:

Federal law requires a secondary school to grant military recruiters and institutions of higher learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the parents or legal guardians, or student who is 18 years of age or older, request that the information not be disclosed without prior written consent.

C. Record of Release

In accordance with state and federal law, Acero shall maintain records of the release or disclosure of all non-directory information or other student records to any individual or organization other than a student's parent or legal guardian and Chicago Public Schools.

D. Right to Inspect and Challenge Records

1. FERPA and ISSRA afford parents or legal guardians and students over 18 years of age ("eligible students") the following rights with respect to the student's school records.
2. Parents or legal guardians are entitled to inspect and copy the student's education records within fifteen (15) school days of the day Acero receives a request for access. Students less than 18 years of age have the right to inspect and copy only their Permanent Record. Students who have reached 18 years of age have a right to inspect and copy both Permanent and Temporary Records.
3. Parents, legal guardians or students should submit to the Principal a written request that identifies the record(s) they wish to inspect. Acero may charge \$0.35 per page for copying but no one will be denied their right to copies of their records for inability to pay this cost.
4. Parents or legal guardians are entitled to challenge the accuracy, relevancy, or propriety of any entry in the school student records, exclusive of academic grades. Parents or legal guardians should submit a written request for an initial informal conference that clearly identifies the record and reason for amending the record. However, no challenge may be made if the challenge is made at the time the student is transferring and the challenge references the records to expulsions or out-of-school suspensions.
5. If the challenge is not resolved by the informal conference, then the parents or legal guardians have the right to request a formal hearing within fifteen (15) days from such request by submitting a written request to the Chief Education Officer or his or her designee. A hearing officer shall notify the parents or legal guardians of the time and place of the hearing. Parents or legal guardians shall have the right to present evidence and call witnesses, the right to cross-examine witness, and the right to counsel, and a written decision. If Acero refuses to amend the record after receiving the findings of the hearing officer or the hearing officer finds that the record should not be amended, the parents or legal guardians have the right to insert a written

statement describing their position on the disputed information or appeal the decision to Chicago Public Schools or State Superintendent within twenty (20) school days of the decision.

E. Official Records Custodian

Acero has designated the Principal at each of its campus as the official records custodian who is responsible for the maintenance, care and security of all school student records, whether or not such student records are in his or her personal custody or control. Acero's General Counsel/Chief Compliance Officer shall serve as the official records custodian for all Acero campuses.

V. APPLICABILITY

This policy is applicable to all Acero employees, students and parents/legal guardians.