

Policy JR - Student Records

It is the policy of the Forsyth County Board of Education that the School District shall comply with the requirements of the Family Educational Rights and Privacy Act (FERPA) the Pupil Protection Rights Amendment (PPRA), and the Student Data Privacy, Accessibility, and Transparency Act. The Board has developed and adopted student privacy policies in accordance with federal law. Additionally, parents will be directly notified of these policies at least annually via the Student/Parent Handbook issued to students at the beginning of the school year or at the student's time of enrollment.

The Superintendent shall ensure that every principal develops a means to notify, on an annual basis, eligible students and parents, including eligible students and parents who are disabled or who have a primary or home language other than English, of their rights under the Family Educational Rights and Privacy Act and the Pupil Protection Rights Amendment, through a student handbook distributed to each student in the school or by any means that are reasonable likely to inform them of their rights.

The Georgia Parents' Bill of Rights requires that school systems provide written notice that photographs or video or voice recordings of his or her minor child are not permitted, subject to applicable public safety and security exceptions. FCS provides this notice annually on the beginning of school year parent permission forms and in the Code of Conduct.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Accurate and complete student academic and discipline records shall be maintained for each student enrolled in the Forsyth County School System. Confidentiality of student records shall be preserved while access is provided to parents, eligible students (those over eighteen years of age or enrolled in post-secondary educational institutions), school officials with legitimate educational interests, as defined in the annual parent notice, and those federal or state officials whose access is authorized in connection with an audit or evaluation of federal or state supported education programs or for the enforcement or compliance with federal legal requirements related to those programs. A school official is a person employed by the district as an administrator, supervisor, instructor (including student teachers/interns), or support staff member; a member of the school board; a person with whom the district has contracted to perform a specific task (such as attorney, **school resource officer**, auditor, therapist, or counselor); a company with whom the district has contracted to perform a specific school system task (such as a picture company, graduation company, yearbook company, online learning platform, or web-based service provider); or a parent or student serving on an official committee (such as a disciplinary or grievance committee). The Superintendent shall direct the publication of procedures through which parents or eligible students may request the correction of errors in student records. A legitimate educational interest is defined by a school official's need to review a student's educational record to fulfill a duty approved by a Forsyth County School principal or county level departmental supervisor.

Forsyth County Board of Education designates the following information as "directory

information." Unless a parent or eligible student makes a timely request to the principal of the school where the student is enrolled that such information not be designated directory information on the individual student, such information may not be considered confidential and may be disclosed upon request. If parents/guardians wish to opt-out, they must notify the principal of the school, in writing, within 10 days of the first day of school or of their enrollment date.

- student's name;
- student's mail address;
- student's parent's phone number;
- student's sex;
- student's homeroom teacher;
- Parent/guardian email addresses specifically to school approved yearbook companies, photography companies, graduation service companies, and the Forsyth County Public Library,
- student's grade level;
- student's date of birth;
- student's participation in official clubs and sports;
- weight and height of student if he or she is a member of an athletic team;
- dates of attendance at Forsyth County Schools;
- degrees, honors and awards received during the time enrolled in Forsyth County School System;
- major field of study, enrollment status, and the most recent educational agency or institution attended;

Student records will be forwarded to schools within or outside the Forsyth County School System upon request of the school where the student is enrolling or has already enrolled.

Procedures for Obtaining Access to Student Records

Any person whose parental rights have not been specifically revoked by court order, any guardian, or an individual acting as a parent in the absence of a parent or guardian may inspect the education records of his or her child who is actively enrolled in the school while school is in session. Records of withdrawn or graduated students are available by making a request via the Forsyth County Schools website.

Generally, a parent will be permitted to obtain a copy of education records of his child upon reasonable notice and payment of reasonable copying costs.

Education records are maintained at the school where a student is enrolled and are in the custody of the principal or principal's designee. Education records of withdrawn or graduated students are maintained at the records center and are in the custody of the Student Information System Department.

The official archived student permanent record will include transcript, grades not on transcripts, record of enrollment, attendance, assessment, and requests for records in accordance with FERPA and is implementing regulations at 34 C.F.R. § 99.31 from outside

Forsyth County School System. With the exception of directory information as defined in this policy, personally identifiable information will not be released by the school system from an education record without prior written consent of the parent or eligible student, to the extent authorized by the FERPA and its implementing regulations at 34 C.F.R. § 99.31.

Each records custodian in Forsyth County School System shall maintain a record of each request for access to and each disclosure of personally identifiable information from the educational records of a student in accordance with regulations governing the Act.

A parent or eligible student who believes his record contains an error may request its correction by submitting a Parent Complaint Form located on the Forsyth County Schools website. Once the form is received, the complaint shall be investigated by the designated school official(s) who will determine whether or not to amend the record. If the matter cannot be thus resolved, a parent or eligible student may request a hearing pursuant to federal regulations at 34 C.F.R. Section 99.21-99.22 as well as applicable state regulations. If the hearing results in a determination that the record contained erroneous information, it shall be corrected and the parent or eligible student shall be informed in writing of the correction; if the information contained in the record is determined not erroneous, the parent may place a statement in the record commenting upon the contested information and stating the basis for disagreement. The statement shall thereafter be disclosed whenever the portion to which it relates is disclosed.

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

Definition of Terms Used in PPRA:

"Instructional Material" - Instructional material that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as material accessible through the Internet). The term does not include academic tests or academic assessments.

"Invasive Physical Examination" - Any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

"Personal Information" - Individually identifiable information including: (1) a student or parents first and last name; (2) home address; (3) telephone number; or (4) social security number.

Requirements:

No student shall be required to submit to a survey, analysis, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without prior written consent of the parent or eligible student.

A parent of a student may, upon request, inspect any survey created by a third party containing one or more of the items listed as (1) through (8) above before the survey is administered or distributed by a school to a student and may choose to opt the student out of participation in the survey. The Superintendent shall develop procedures for: (1) granting a request by a parent for reasonable access to such survey within a reasonable period of time after the request is received, and (2) making arrangements to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the items listed as (1) through (8). The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

A parent of a student may, upon request, inspect any instructional material used as part of the educational curriculum for the student. The Superintendent shall develop procedures for granting a request by a parent for reasonable access to instructional material within a reasonable period of time after the request is received.

Parents shall be notified prior to the administration of physical examinations or screenings that the school may administer to students. This notice shall offer the parent the opportunity to opt the student out of any non-emergency, invasive physical examination or screening that is (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of the student, or of other students.

The parent of a student shall be notified prior to the commencement of activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose). Such notice shall offer the parent the opportunity to inspect, upon request, any instrument used in the collection of such information before the instrument is administered or distributed to a student and to opt the student out of such activities. The Superintendent shall develop procedures that: (1) make arrangements to protect student privacy in the event of such collection, disclosure, or use, and (2) grant a request by a parent for reasonable access to such instrument within a reasonable period of time after the request is received.

At the discretion of the principal or the school system, schools may disclose student name, grade, mailing and email addresses for purposes of school photography, yearbook and graduation-related services and the Forsyth County Public Library card/accounts.