

Family Rights & Privacy (FERPA)

Notice Regarding Family Rights and Privacy

The District's procedures for the confidentiality of student records are consistent with federal statutes, including the Family Educational Rights and Privacy Act (FERPA). The parents, those acting in a parental relationship, or eligible students of the Charter School for Applied Technologies are hereby notified that you have the following rights in relation to student records under the Family Educational Rights and Privacy Act (FERPA) and Board of Education Policy #7240:

1. The right to inspect and review student's education records, unless otherwise limited by court order or other legally binding instrument, within 45 days of receipt of request.
2. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate.

Parents or eligible students may request such amendment by writing to the School Principal (or appropriate school official), clearly identify the part of the record they want changed, and specifying why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of the right to a hearing regarding the requested amendment. Additional information regarding hearing procedures will be provided to the parent or eligible student when notified of this right.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

4. There are exceptions which allow for disclosure without consent:

- Educational records may be released to school officials with legitimate educational interests. A school official is a person employed by a school district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); 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 the educational record in order to fulfill his or her professional responsibility.
- Education records of a student concerning disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community may be disclosed to school officials in other schools who have been determined to have a legitimate educational interest in the behavior of the student.
- Educational records may be disclosed by school officials, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of the Individuals with Disabilities Education Act, to another school or postsecondary institution in which the student seeks or intends to enroll.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by CSAT 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., SW, Washington, DC 20202-4605.**

6. If either a student's parent, those acting in a parental relationship or the eligible student desire to obtain copies of the policy pertaining to student records, notification should be presented to the Director of Student Services, 2303 Kenmore Avenue, Buffalo, NY 14207.

Release of information beyond that noted above requires parental consent.

Note – All rights and protections given parents under the FERPA and this policy transfer to the student when he or she reaches age 18 and petitions for self-determination, or attends a post-secondary school, or has been designated an “emancipated minor.” The student then becomes an “eligible student.”

Limited Directory Information Disclosure

Please note – At the beginning of all students' enrollment, parents/guardians are given a Media Release Form with the school's request to allow the use of your child's photographs, video footage, and/or voice recordings in use of marketing materials (brochures, slides, websites, advertisements, commercials, booklets and flyers, and/or for release to the news media). An opt-out option is available.

The Charter School for Applied Technologies designates the following personally identifiable information contained in a student's record as “directory information” and shall release the information on a “limited” basis without prior written consent. Limited Directory Information Disclosure means that CSAT may limit disclosure of its designated directory information to specific parties for specific purposes, or both.

Specifically, CSAT will ***only*** disclose Directory Information at the discretion of school officials to designated organizations, clubs, athletic teams, media and other parties connected with school activities to promote student achievement and participation in school sponsored activities. This may include items like honor roll lists, displays of individual art work, or student information to school-approved fundraising groups.

The following will be designated as Directory Information:

- student's name and date of birth
- address
- place of birth
- major field of study
- grade level
- participation in sports and activities
- weight and height (for members of athletic teams)
- dates of attendance
- honors, degrees and awards
- e-mail address
- photograph
- name of educational institution previously attended

Directory information ***does not*** include a student's social security number or a student's identification number.

Note: *All rights and protections given parents under FERPA and this policy transfer to the student when he/she reaches age 18 and petitions for self-determination or attends a post-secondary school, or has been designated an "emancipated minor." The student then becomes an "eligible student."*

If you do not want CSAT to disclose directory information from your child's educational records to any parties for any purposes, other than those required by law without your prior written consent, you must notify the Building Principal in writing by **October 1st or within 20 days of your child's enrollment.**

Note: Parents and eligible students **may not**, by opting out of disclosure of directory information, prevent the school from:

1. Disclosing or requiring a student to disclose the student's name, identifier, or school e-mail address (if any) in a class in which the student is enrolled; or
 2. Requiring a student to wear or present a student identification card or a badge that displays information that may be directory information.
-

Confidentiality

The District adheres to the Family Educational Rights and Privacy Act (FERPA). Private health care providers must follow other laws called Health Insurance Portability and Accountability Act (HIPAA). In instances where the school needs to communicate with private health care providers, the parent will need to complete the required form(s) from their health care provider in order for school officials to be able to speak with them. Please be advised that confidential medical information will be shared with district personnel who need to know. This may include understanding the impact a medical condition may have on a child within the classroom setting and/or how to recognize and potentially manage significant medical concerns until medical help arrives. If you have any questions, please contact your school nurse.

Parents' Bill of Rights for Data Privacy and Security

The Charter School for Applied Technologies is committed to protecting the privacy and security of student, teacher and principal data. In accordance with New York Education Law § 2-d, CSAT wishes to inform the school community of the following:

- 1.) A student's personally identifiable information cannot be sold or released for any commercial purposes.
- 2.) Parents have the right to inspect and review the complete contents of their child's education record.

- 3.) State and federal laws protect confidentiality of personally identifiable information, and safeguards associated with industry standards and best practices, including but not limited to, encryption, firewalls, and password protection, must be in place when data is stored or transferred.
- 4.) A complete list of all student data elements collected by the State is available for public review at: <http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx>, or by writing to the Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, New York 12234.
- 5.) Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed in writing to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234. Complaints may also be directed to the Chief Privacy Officer via email at: CPO@mail.nysed.gov

APPENDIX

Supplemental Information Regarding Third-Party Contractors

In the course of complying with its obligations under the law and providing educational services its parents and students, the Charter School for Applied Technologies has entered into agreements with certain third-party contractors. Pursuant to such agreements, third-party contractors may have access to “student data” and /or “teacher or principal data, as those terms are defined by law.

Each contract that CSAT enters into with a third-party contractor where the third-party contractor receives student data or teacher or principal data will include the following information:

- 1.) *The exclusive purposes for which the student data or teacher or principal data will be used;*
- 2.) *How the third-party contractor will ensure that the subcontractors, persons or entities that the third-party contractor will share the student data or teacher or principal data with, if any, will abide by data protection and security requirements;*
- 3.) *When the agreement expires and what happens to the student data or teacher or principal data upon expiration of the agreement;*
- 4.) *If and how a parent, student eligible student, teacher or principal may challenge*

5.) *Where the student data or teacher or principal data will be stored (described in such a manner as to protect data security), and the security protections taken to ensure such data will be protected, including whether such data will be encrypted.*