

October 2, 2006

Dear Evergreen Community Charter School Parent/Guardian or Eligible Student:

This is to advise you that pursuant to the Federal "Family Educational Rights and Privacy Act of 1974" (FERPA), and its implementing regulations, as well as District policy and regulation parents/guardians or students under 18 years of age and students over 18 years of age ("eligible students") are entitled to certain rights with respect to a student's education records. These rights are set forth below:

- 1.** Parents/Guardians and eligible students have a right to inspect and review the student's education records defined by law to include those records, files, documents, and other materials which contain information directly related to the student and are maintained by the Charter School or by a person acting for the Charter School. A parent/guardian or an eligible student shall make a request for access to that student's education records, in writing to the Director of the school at which the student is, or was last, in attendance. Upon receipt of such request, arrangements shall be made to provide access to such records within a reasonable period of time, but in any case, not more than forty-five (45) days after the request has been received.
- 2.** Parent(s)/guardian(s) and eligible students are also entitled to challenge the contents of such records, to ensure that they are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to ask for the correction or deletion of any such inaccurate misleading, or otherwise inappropriate data contained therein. Parents/guardians and eligible students are also entitled to notice of any decision by the Charter School not to amend a student's education records as requested by the parent/guardian or eligible student, and of their right to a hearing regarding the Charter School's denial of a request for such an amendment. Any questions concerning the procedure to be followed in making a challenge and/or requesting a hearing should be directed to the Director of the Charter School.
- 3.** Parents/guardians and eligible students have a right that student education records, and any material contained therein which is personally identifiable, are confidential and may not be released or made available to persons other than parents/guardians or eligible students without the prior written consent of such parents/ guardians or eligible students except:

- a. as directory information unless the parent/guardian or eligible student objects by October 15 of each school year. Charter School student directory information includes name, address, telephone listing, date of birth and parents' name and contact information. Parents/Guardians and eligible students may refuse to let the Charter School designate any or all of the above information about the student as directory information,
 - b. to another school district in which a student seeks to enroll or intends to enroll, upon request by such district;
 - c. to individuals employed by the Charter School either as an administrator, supervisor, instructor, or support staff member including health or medical staff and law enforcement unit personnel, school board members when acting as a corporate entity in the discharge of statutory duties and responsibilities, and individuals with whom the Charter School has contracted to perform a special task. (i.e., the school attorney, auditor, medical consultant or therapist) who have a legitimate educational need for access to such records. A legitimate educational need for any of these individuals to access a student's records without prior written consent of a parent/guardian or eligible student will be deemed to exist only when it can be shown that such access and disclosure is necessary for any such individual to fulfill his/her professional responsibilities, or
 - d. as otherwise expressly permitted by law.
4. Parents/guardians and eligible students have a right to obtain a copy of the Charter School's policy and accompanying- regulation pertaining to the confidentiality of student education records. A copy of said policy and regulation may be obtained from the Director of the school at which the student is, or was last, in attendance.

If you feel that your rights under the "Family Educational Rights and Privacy Act of 1974" have been abridged as a result of alleged failures by the District to comply with the requirements of FERPA, you may file a complaint with the U.S. Department of Education, Family Policy Compliance Office, 600 Independence Avenue, S.W., Washington D.C. 20202-4605.

Sincerely,

Jill Shoemith
Director
Evergreen Community Charter School

As adopted by the Board of Trustees on September 28, 2006