

October 28, 2021

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 of students under 18 years of age and students over 18 years of age ("eligible students") are entitled to certain rights relevant to their privacy in the collection, maintenance, release and destruction of these records. Educational records may include: grades, standardized test results, student evaluation reports, samples of student work, records transferred from sending schools, discipline records, medical records and any other records created and maintained by Evergreen Community CSS directly related to the student.

These rights to inspect and review education records 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 educational 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. to another school district in which a student seeks to enroll or intends to enroll, upon request by such district
- b. 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
- c. 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 educational 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 updated by the Board of Trustees on October 28, 2021

PLEASE NOTE: This policy provides resident students and their parents with notice that Evergreen may destroy records under the following circumstances and timelines:

- A. Records that include a student's name, address, grades, attendance records, classes attended, grade level completed and year completed may be destroyed once 100 years have passed since the student's 24th birthday.

- B. Special Education records, Section 504 records, Instructional Support Team (IST) records, and health records may be destroyed once 7 years have passed from the date a student has graduated or reached graduation age (if exiting the district before graduation) as long as there is no outstanding request to inspect and review the records and the records are no longer deemed useful to the school.

- C. Notice of destruction of these records is provided annually via this publication. Educational records of a student are no longer needed by the school to provide educational services at the end of one year following a student's graduation from Evergreen. A parent/guardian may submit a written request for the destruction of all education records at that time.

- D. Destruction will proceed where parents or eligible students have not requested copies by November 1st of the year the records may be destroyed as per paragraphs A & B above. Parents are reminded that copies of the records might be needed for the acquisition of Social Security benefits or for other purposes.