

(MODEL POLICY for Local Education Agency)

PARENT/ELIGIBLE STUDENT DATA PRIVACY COMPLAINT POLICY

SUMMARY

The Student Data Privacy, Accessibility, and Transparency Act is a Georgia state law that is designed to ensure student data is kept private and secure from unauthorized access. Any parent or eligible student (“Complainant”) may file a complaint with the local school system if that individual believes and alleges that a possible violation of rights under the federal or state privacy and security laws has occurred. A parent is defined as a natural parent, as guardian, or an individual acting as a parent in the absence of a parent or guardian. An eligible student is defined as a student who has reached 18 years of age or is attending an institution of postsecondary education.

PURPOSE

O.C.G.A. §20-2-667 *Parental and student review of education record; model policies* subsection (g)(1) directs the Georgia Department of Education to develop model policies and procedures for a parent or eligible student to file a complaint with an LEA regarding a possible violation of rights under federal or state student data privacy and security laws.

SCOPE

The purpose of this policy is to ensure that parents or eligible students are provided a formal process to file a complaint with a local school system regarding a possible violation and to set forth the official process that the local school system must use to handle the complaint. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received.

POLICY

In accordance with OCGA §20-2-667 section(g)(1), local school systems must adhere to the following:

1. Local school systems must provide the Parent/Eligible Student Complaint form to the Complainant within 3 business days of receiving the request. The complaint form may also be made available on the local school system’s website. See Parent/Eligible Student Complaint Form.
2. Each local school system shall designate at least one individual with the responsibility to respond to complaints filed by parents or eligible students.
3. A written response must be provided to Complainant within 10 business days of receipt of complaint.
4. The Complainant may file an appeal with the local school superintendent within 10 business days of receiving written response from local school system.
5. Parents or eligible student may file an appeal for a final decision to the local board of education within 10 business days of receipt of written response from local school system.
6. Local boards of education must render a decision within 10 business days of receiving an appeal.