

MODEL POLICY for Local Education Agency

Annual Notification Policy

SUMMARY

The Student Data Privacy, Accessibility, and Transparency Act of Georgia and the Family Educational Rights and Privacy Act (FERPA) require local education agencies who receive federal funds to notify parents and eligible students of their rights under FERPA. 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. §20-2-664 *Role of department* section (7) directs the Georgia Department of Education to develop model policies and procedures for local education agencies to ensure the provision of at least annual notifications to eligible students and parents or guardians regarding student privacy rights under federal and state law.

SCOPE

Each local educational agency shall annually notify parents of students currently in attendance, or eligible students currently in attendance, of their rights under FERPA.

POLICY

In compliance with FERPA CFR §99.7, local education agencies must adhere to the following requirements for their annual notification.

1. The annual notification must inform parents or eligible students that they have the right to –
 - a) Inspect and review the student’s education records
 - b) Seek amendment of the student’s education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student’s privacy rights
 - c) Consent to disclosures of personally identifiable information contained in the student’s education record
 - d) File with the USDOE a complaint concerning alleged failures by the educational agency or institution to comply with the requirements of FERPA
2. The notice must include all of the following:
 - a) The procedure for exercising the right to inspect and review education records
 - b) The procedure for requesting amendment of records
3. An educational agency may provide this notice by any means that are reasonably likely to inform the parents or eligible student of their rights.
4. An educational agency shall effectively notify parents or eligible students who are disabled.
5. An educational agency shall effectively notify parents who have a primary or home language other than English.