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Board of Trustees Resolution

WHEREAS the Board of Trustees of Achievement House Cyber Charter School desires to comply with applicable state and federal laws and exercise its authority to promulgate policies for Achievement House Cyber Charter School;

NOW, THEREFORE, be it resolved that the Board of Trustees of Achievement House Cyber Charter School adopts the following policy:

Confidentiality Policy

Each school district is required to protect the confidentiality of personally identifiable information in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and other applicable federal and state laws, policies, and regulations. FERPA requires that Achievement House Cyber Charter School, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from a child's education records. However, AHCCS may disclose appropriately designated "directory information" without written consent, unless advised to the contrary in accordance with AHCCS procedures.

Definitions

Education records mean those records that are directly related to the student, including computer media and videotape, which are maintained by an educational agency.

Personally identifiable information- Information that includes, but is not limited to, the student's name, name of parents and other family members, the address of the student.

Destruction of information means physical destruction or removal of personal identifiers so the information is no longer personally identifiable.

Directory Information - Information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. This includes, but is not limited to, the student's name, address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.

Confidential Information- Information that may be used in evaluation of student, for purposes of state and federal reporting related to student performance, grades, disciplinary files, and other information identified as confidential under FERPA and the IDEA.

Consent- the parent(s) have been fully informed regarding the activity requiring consent, in their native language or other mode of communication; they understand and agree in writing to the activity; and they understand that consent is voluntary and may be revoked at any time.

Confidentiality Policy

A parent that does not want AHCCS to disclose directory information from a child's education records without your prior written consent, must notify AHCCS in writing before August 1" of any year the student is enrolled at CHCCS, or within 30 days of enrollment at the School. AHCCS has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)

Directory information may be released without parent consent unless the parent has exercised their right to opt out of disclosure of directory information. Parents have the right to refuse to let an agency designate any or all of the above information as directory information.

Uses to be made of confidential information will include: identification and evaluation of the student; Child Find; Definitions and Criteria for Determination of Eligibility; Procedures for Evaluation and Determination of Eligibility; and additional procedures as stated in Individuals with Disabilities Education Act and Chapter 711 (PA).

Educational Records

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age certain rights with respect to the student's educational records. They are:

Parents have the right to inspect and review a child's education record. AHCCS will comply with a request to inspect and review education records without unnecessary delay and before any meeting regarding an IEP or any due process hearing, but in no case more than 45 days after the request has been made. Requests should be submitted in writing, indicating the records the parents wish to inspect, to the school principal or other appropriate school official. Parents have the right to a response from the school district to reasonable requests for explanations and interpretations of the records. Parents have the right to request copies of the records. While the AHCCS charge a fee to search for or to retrieve information, it may charge a copying fee as long as it does not effectively prevent the parents from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any education record contains information on more than one child, parents have the right only to inspect and review the information relating to their child.

If parents think information in an education record is inaccurate, misleading, or violates the privacy or other rights of their child, they may request amendment of the record. Requests should be in writing and clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. AHCCS will decide whether or not to amend the record, it will notify the parents of their right to a hearing to challenge the disputed information. Additional information regarding the hearing procedures will be provided to the parents or student when notified of the right to a hearing.

The Director of Special Education is the agency official responsible for ensuring confidentiality of student records.

In the case that AHCCS needs to report a crime committed by a student with a disability, the agency (AHCCS) would ensure that copies of the special education and disciplinary records of the student be properly transmitted, only to the extent that the transmission is permitted, to the proper parties as identified in the Family Educational Rights and Privacy Act (FERPA) (34 CFR Part 99).

Retention of Information

Whenever information is no longer needed to provide educational services to a child or after a former student's 24th birthday, the information in their education record will be destroyed by the educational agency, if there is not a current request to inspect and review or a request for copies. However, a permanent record of a former student's name, telephone number, grades, achievement, attendance, classes attended, grade level completed, year completed, Evaluation/Re-evaluation Reports, last three IEP's, and last Notice of Recommended Educational Placement will be maintained in an electronic form without time limitation.

Information no longer needed to provide educational services must be destroyed if requested by a parent. However, a permanent record of a student's name, address, phone number, grades, attendance, classes attended, grade level completed, year completed may be maintained in an electronic form without time limitation.

AHCCS will provide, upon request, a listing of the types and locations of education records maintained, the school officials responsible for these records, and the school personnel authorized to see personally identifiable information. Such personnel receive training and instruction regarding confidentiality. AHCCS keeps a record of parties obtaining access to educational records, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. Parents have the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent the FERPA authorizes disclosure without consent.

Information may be disclosed without consent to school officials with legitimate educational interests. A school official is a person employed by AHCCS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); person or company with whom AHCCS 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 an education record in order to fulfill his or her professional responsibility.

Upon request, AHCCS discloses education records (including disciplinary records) without consent to officials of another school district in which a student seeks or intends to enroll.

- 1 Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by AHCCS to comply with the requirements of FERPA. Complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.
- 2 NOAA of 2002 also requires districts to give military recruiters the same access to secondary school students as provided to postsecondary institutions or to prospective employers; and provide students' names, addresses, and telephone listings to military recruiters, when requested, unless a parent has opted out of providing such information.

President

Date

Secretary

Date