

**SECTION: 4000 STUDENTS AND PARENTS**  
**CONFIDENTIALITY OF STUDENT RECORDS**

*Policy Code: 4010*  
*Approved: 1.10.2018*

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In order to provide students with appropriate instruction and educational services, it is necessary for Brevard Academy - A Challenge Foundation Academy (BA-CFA) to maintain extensive and sometimes personal information on them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, and be accessible to the student's parents or legal guardian or the student in accordance with law, yet be guarded as CONFIDENTIAL information.

BA-CFA recognizes the legal requirement to maintain the confidentiality of student education records and personally identifiable information contained in the education records of students. The procedures for the confidentiality of student records shall be consistent with federal and state statutes and regulations, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations. Failure by any staff member to comply with these statutes, procedures, regulations or any part of this policy and its accompanying regulation will subject that employee to disciplinary action, as permitted by law.

The School Director and his/her designated assistants shall be responsible for ensuring that all requirements under federal and state statutes and regulations as well as BA-CFA policy and regulation pertaining to the confidentiality of student education records are carried out by the school and its employees.

Student education records are subject to confidentiality and protection from disclosure include those records, files, documents, and other materials that contain information directly related to a student and are maintained by BA-CFA or by a person acting on behalf of the School.

Personally identifiable information includes, but is not limited to, the student's name, the name of the student's parents or other family members, the address of the student and/or his or her family, personal identifiers such as social security numbers or student numbers, personal characteristics or information which make the student's identity easily traceable.

Student education records and personally identifiable information contained in a student's education records may not be released or disclosed without the prior written consent of the parent/guardian of a student under 18 years of age or a student over 18 years of age (eligible student), except as otherwise authorized by law. In accordance with law, prior written consent from a parent/guardian or eligible student is not required for the school to disclose information contained in a student's education records if access to, and disclosure of, such information is made available under the following circumstances:

1. To individuals employed by them 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 BA-CFA has contracted to perform a special task (i.e., the school attorney, auditor, medical consultant, or therapist). However, access by, and disclosure to, any such individual without prior written

consent by a parent/guardian or eligible student is limited strictly to instances where a legitimate educational inquest justifies said access and disclose. The School Director of the school shall determine whether any such individual has a legate educational interest to access a student's education record. A legitimate educational interest will be deemed to exist only when it can be shown that access and disclosure without prior written consent by a physician/guardian or eligible student is necessary for any such individual to fulfill his/her professional responsibilities;

2. To another school in which a student seeks to enroll or intends to enroll, upon request by such district and in accordance with law;
3. As otherwise expressly permitted by law.