



Annual Notification of FERPA Rights

This serves as the notification of rights under the Family Educational Rights and Privacy Act ("FERPA") for Empower Generations (hereinafter "School"). This annual notification supplements existing learner privacy policies and procedures found in the Learner/Family Guidebook. FERPA affords parents and learners over 18 years of age ("eligible learners") certain rights with respect to the learner's education records. The School stores various learner records, including, but not limited to, transcripts, enrollment records, disciplinary records, and immunization records.

These rights are:

- (1) The right to inspect and review the learner's education records within five (5) business days of the day the School receives a request for access.

Parents or eligible learners should submit written requests for access to info@empowergenerations.org. This written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible learner of the time and place where the records may be inspected.

- (2) The right to request the amendment of the learner's education records that the parent or eligible learner believes are inaccurate, misleading, or otherwise in violation of the learner's privacy rights under FERPA.

Parents or eligible learners who wish to ask the School to amend a record should send a written request to info@empowergenerations.org. The written request should clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible learner, the School will notify the parent or eligible learner of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible learner when notified of the right to a hearing.

- (3) The right to privacy of personally identifiable information in the learner's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits the disclosure of personally identifiable information from learners' education records, without consent of the parent or eligible learner, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible learner, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible learners have a right to inspect and review the record of disclosures. The School may disclose personally identifiable information from the education records of a learner without obtaining prior written consent of the parents or



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the eligible learner for limited circumstances, including, but not limited to –

- To other school officials, including facilitators, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, attorneys, vendors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met.
- To officials of another school, school system, or institution of postsecondary education where the learner seeks or intends to enroll, or where the learner is already enrolled if the disclosure is for purposes related to the learner's enrollment or transfer, subject to the requirements of § 99.34.
- To accrediting organizations to carry out their accrediting functions.
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (34 C.F.R. § 99.31(a)(9).)
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36.
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a learner's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the learner in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

The School will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.