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| POLICY NAME | FERPA and Student Privacy Policy | POLICY NUMBER | 633 |
| POLICY TYPE | New Story Corporate Confidentiality Policy | EFFECTIVE DATE | 04/09/2014 |
| SCOPE | All Employees, Vendors, Contractors, and Affiliates of New Story schools | LATEST VERSION | 1/10/2023 |
| REFERENCE: HTTPS://WWW2.ED.GOV/POLICY/GEN/GUID/FPCO/FERPA/INDEX.HTML | | | |
| REVIEWED/REVISED DATES | | | |
| 04/09/2014 | 12/10/2018 | 1/10/2023 | |

OVERVIEW: New Story (including all affiliations and subsidiaries across all schools; herein referred to as New Story or the Company) is committed to protecting the rights and privacy of all students, as well as the integrity and privacy of all student records. New Story and its employees are committed to adhering to and enforcing all aspects of the Family Educational Rights and Privacy Act (FERPA). New Story has also implemented procedures in instances of FERPA-related grievances and complaints.

I. SCOPE

This Policy pertains to all employees, vendors, contractors and affiliates under the following New Story schools. This Policy pertains to all employees, vendors, contractors and affiliates under the following New Story schools: New Story Schools – PA, New Story Schools - Ohio, Green Tree Schools and Services, Sage Alliance, River Rock Academy, Rivermont Schools, Rebecca School and Aaron School. All New Story schools under the scope of this policy will be referred to herein as “New Story”.

II. DEFINITIONS

The Family Educational Rights and Privacy Act (FERPA): A federal law that protects the privacy of student educational records and affords parents and eligible students the right to: (1) have access to their children’s or their educational records; (2) seek to have the records amended; and (3) consent to the disclosure of personally identifiable information from education records, except as provided by law.

Parent: Under FERPA, a “parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. Additionally, in the case of the divorce or separation of a student’s parents, schools are required to give full rights under FERPA to either parent, unless the school has been provided with evidence that there is a court order, State statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

Eligible Student: Under FERPA, an “eligible student” means a student who has reached 18 years of age or is attending a postsecondary institution at any age. This means that, at the secondary level, once a student turns 18, all the rights that once belonged to his or her parents transfer to the student. However, a secondary school or postsecondary institution may still provide an eligible student’s parents with access to education records, without the student’s consent, if the student is claimed as a dependent for IRS tax purposes. Other exceptions to FERPA’s general consent rule may also apply, such as disclosures to parents in a health or safety emergency.



Educational Records: Under FERPA, Educational Records are records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. The records may be maintained in any way, including, but not limited to handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche in considered to be part of the student's education record. This includes a student's health record. Educational records do not include records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

Personal Identifiable Information (PII): Under FERPA, PII includes, but is not limited to student names, names of parents or other family members, addresses of the students or families; students' personal identifiers, such as social security numbers, student numbers, or biometric records, other indirect identifiers, such as dates of birth, places of birth, and mothers' maiden names. Additionally, PII student information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Directory Information: Under FERPA, Directory Information is PII that is not generally considered harmful or an invasion of privacy if disclosed. Such information may only be treated as Directory Information if such information is identified in the School's annual FERPA designation of Directory Information and the parent or eligible student has not provided timely notice to opt out of such a designation.

III. PARENT AND ELIGIBLE STUDENT RIGHTS UNDER FERPA

FERPA affords parents and eligible students certain rights with respect to the student's education records. These rights are:

- The right to inspect and review the student's education records within 45 days after the school receives a request for access.
- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
- The right to consent to disclosures of education records, except to the extent that FERPA authorizes disclosure without consent.
- The right to file a complaint with the U.S. Department of Education (USDE) concerning alleged failures by New Story to comply with the requirements of FERPA.

Additionally, FERPA requires that New Story responds to reasonable requests for explanations and interpretations of education records by the parent or eligible student.

A. Access to Educational Records

Any w Story staff member who receives a request to view educational records from a parent or eligible student shall forward the request to the relevant New Story School Administrator. The



School Administrator shall set up an appointment to provide access to the educational records to either the parent or eligible student within 45 days of the initial request.

If the parent or eligible student requests a copy of the education records, the School Administrator must provide the Parent with information on the fees to be charged, which may differ depending on school location.

New Story will not destroy any educational record if a request for access and inspection of that record is pending.

B. Amendments to Educational Records

. New Story administrators shall promptly review requests to amend an educational record from parents or eligible students. If New Story decides not to amend the record as requested by the parent or eligible student, the relevant school will notify the parent or eligible student of the decision and of their right to a formal hearing regarding the request for amendment. In the event that the parent or eligible student requests a formal hearing, New Story must provide the date, time, and place of the hearing, in a timeframe reasonably in advance of the hearing.

The individual conducting the hearing may be a New Story employee. However this individual must not have a direct interest in its outcome. New Story school must give the parent or eligible student a full and fair opportunity to present relevant information. The parent or eligible student may, at the expense of the parent or eligible student, be represented by one or more individuals of their own choice, including an attorney, at the hearing.

New Story must make its decision in writing within a reasonable period of time after the hearing. This decision must be based solely on the evidence presented at the hearing, include a summary of the evidence, and give the reasons for the decision. After the hearing, if New Story still decides not to amend the record, the parent or eligible student has the right to place a statement with the record that establishes their view regarding the contested information.

C. Releasing Educational Records

New Story must have written consent from the parent or eligible student to release information contained within the student's educational record. The parent or eligible student must complete the **Authorization for Use or Disclosure of Protected Identifiable Information Form** (Appendix A, attached below). Where applicable, the Form shall be added to the electronic Student Information System, the Student Handbook, or presented to Parents and Eligible Students in the form of a handout.

There are specific instances where information within the student records may be disclosed, including PII and/or Directory Information, without parent or eligible student consent.

1. PII Disclosure Allowances Without Consent

FERPA permits the disclosure of PII from students' education records, without consent of the parent

or eligible student, if the disclosure meets the following conditions found in FERPA regulations:

- To other school officials, including teachers, within the educational agency or institution whom New Story has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom New Story has outsourced institutional services or functions, provided that the contractors, consultants, volunteers, or other parties (a) are under the direct control of New Story with respect to the use and maintenance of such educational records and (b) have agreed to be subject to FERPA's use and redisclosure requirements.
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to applicable requirements.
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State. Disclosures under this provision may be made in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met.
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released.
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met.
- To accrediting organizations to carry out their accrediting functions.
- To parents of an eligible student if the student is a dependent for IRS tax purposes.
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met.
- To appropriate officials in connection with a health or safety emergency if applicable requirements are met.
- Information New Story has designated as "directory information" if applicable requirements are met.
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student'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 student in foster care placement.

- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions.
- To a court if (a) New Story initiates legal action against a parent or student and the education records of the student that are relevant for New Story to proceed with the legal action, or (b) a parent or eligible student initiates legal action against New Story and the student's education records that are relevant for New Story to defend itself.

With the exception of directory information, to ensure all provisions and conditions are met, prior to releasing student PII, New Story staff must consult with the Privacy Officer to determine if the proper criteria are being met. The Privacy Officer reserves the right to commission outside counsel or other outside organizations for guidance and advice. Further, except where doing so is prohibited by law, New Story will make a reasonable attempt to notify the parent or eligible student of the records request.

Each School Administrator must maintain a record of each request for access to, and each disclosure of student PII, including the names of the individuals or agencies that requested the information. New Story must maintain these records with the students' educational records for as long as the educational records are maintained. Parents and eligible students have a right to inspect and review the record of disclosures.

2. Directory Information Disclosure Allowances Without Consent

New Story may disclose appropriately designated Directory Information without written parent or eligible student consent in accordance with its FERPA Directory Information Designation. The parent or eligible student has a right to opt out of New Story's designation of Directory Information by notifying the school's main office in writing no later than one month after the official first day of classes for that academic year.

The primary purpose of Directory Information is to allow New Story to include information from a student's education records in certain school publications and to certain outside organizations, which may include, but are not limited to, organizations that create school yearbooks.

New Story has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Date and place of birth
- 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 but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user
- A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

3. Filing a Compliant

Parents and eligible students may file a complaint with the United States Department of Education (USDE) concerning an alleged failure by New Story to comply with the requirements of FERPA. The complaint must be submitted to the USDE within 180 days of the date that the complainant knew of the violation. Additionally, it must state specific allegations of fact giving reasonable cause to believe that New Story has violated FERPA. All staff should become familiar with and follow New Story's **FERPA Grievances Procedures** (Appendix B, attached below), which included the required actions that New Story staff must take in these situations.

IV. PARENT AND ELIGIBLE STUDENT NOTIFICATION OF RIGHTS

All New Story schools are required to provide the **Notification of Parent and Eligible Student Rights under FERPA, Directory Information Designation, and Media Release Form** (Appendix C, attached below) to parents and eligible students on an annual basis. Where applicable, the Form shall be added to the electronic Student Information System, the Student Handbook, or presented to Parents and Eligible Students in the form of a handout. These rights are also posted on the New Story client-facing website.

V. EMPLOYEE RESPONSIBILITIES IN THE MANAGEMENT OF STUDENT RECORDS

At any time during employment at New Story, employees may have direct or indirect access to student records. Employees are obligated to protect the integrity of student records and not disclose any information within unless allowed by New Story policy or FERPA regulations. All employees are required to sign a **Confidentiality Statement and FERPA Acknowledgement Form** (Appendix D, attached below).

A. Mandatory Training

All New Story employees, regardless of position, are required to participate in FERPA training within 90 days of hire and then annually thereafter.

B. Complaints

An employee who becomes aware of a potential FERPA violation should report it immediately to their supervisor, the Privacy Officer, or submit an Ethics & Compliance Hotline report, as covered in the



Corporate Compliance Program Policy (Corporate Policy 112). New Story will then implement the procedures dictated in Appendix B – FERPA Grievances Procedures. Additionally, appropriate disciplinary action shall be taken if it is determined that staff member has violated policy, or other Federal, State, or Local laws or regulations.

VI. POLICY REVIEW

This policy will be reviewed on an annual basis, unless changing business needs deem a more frequent review.

APPENDICES

Appendix A: Authorization for Use or Disclosure of Protected Identifiable Information Form

Appendix B: FERPA Grievance Procedures

Appendix C: Notification of Parent and Eligible Student Rights under FERPA, Directory Information Designation, and Media Release Form

Appendix D: Confidentiality Statement and FERPA Acknowledgement Form



AUTHORIZATION FOR USE OR DISCLOSURE OF PROTECTED IDENTIFIABLE INFORMATION

Date: _____

Name: _____ Birth Date: _____

| Street Address | City | State | Zip |
|----------------|------|-------|-----|
|----------------|------|-------|-----|

I authorize the use and/or disclosure of my Protected Health Information (PHI) and Protected Identifiable Information (PII) described below *(Please check each box describing information to be used/disclosed and write in any other information not included in a check box):*

- | | | |
|---|---|--|
| <input type="checkbox"/> Attendance Records | <input type="checkbox"/> Academic Performance | <input type="checkbox"/> Results of Standardized Tests |
| <input type="checkbox"/> Disciplinary Records | <input type="checkbox"/> Evaluation/Re-Evaluation Reports | <input type="checkbox"/> Individualized Education Plans (IEPs) |
| <input type="checkbox"/> Vaccination Records | <input type="checkbox"/> Therapy Records (ST, OT, PT) | <input type="checkbox"/> Laboratory Reports |
| <input type="checkbox"/> Behavior Plans | <input type="checkbox"/> Imaging Reports (X-Ray) | <input type="checkbox"/> Medication Records |
| <input type="checkbox"/> Pathology | <input type="checkbox"/> History and Physical | <input type="checkbox"/> Nurses – Notes |
| <input type="checkbox"/> Emergency Care | <input type="checkbox"/> Discharge Summary | <input type="checkbox"/> Other |

Authorization for Sensitive Information

I understand that my records may contain information related to history, diagnosis, and/or treatment of HIV (AIDS virus), other sexually transmitted diseases, drug and/or alcohol abuse, mental illness or psychiatric treatment and Genetic Information. If my records contain any such information, I authorize the use or disclosure of that information **only if I place my initials below next to the type of information below.**

| | |
|--|--|
| _____ HIV (AIDS virus) or other sexually transmitted disease | _____ Mental illness psychiatric treatment |
| _____ Drug and/or alcohol abuse | _____ Genetic Information |

My authorization of the use and/or disclosure of the information described above covers the following dates of treatment:

From _____ through _____, **or**

ALL DATES

I authorize the following Organization to use and/or disclose my protected health information described above to New Story:

Name and Address/Phone Number of Provider/Institution/Organization

I authorize the following Organization to receive the use or disclosure of my protected health information described above from New Story:

Name and Address/ Phone Number of Provider/Institution/Organization



The purpose for which I am authorizing this use or disclosure is:

- At My Request (at the request of the individual is sufficient when an individual initiates the authorization and does not, or elects not to, provide a statement of the purpose).

OR

Table with 3 columns: Continued Medical Care, Legal Purposes, School, Personal use, Insurance Claim, Military, Social Security/Disability Determination, Insurance Application, Other.

Expiration Date or Event of this Authorization

This Authorization shall be valid – unless I revoke it earlier in writing – until (check one box):

- One year from the date I sign this Authorization OR
The following date: _____ OR
When the following event occurs (please describe):

Empty box for describing the event.

This Authorization does not authorize use or disclosure of Psychotherapy Notes, Sale of Protected Health Information or uses and disclosures of Protected Health Information for Marketing purposes.

I understand:

- 1. I may revoke this authorization at any time by giving New Story notice of my revocation in writing. NewStory will furnish me with a form to make my revocation, but I do not have to use that form to make my written revocation.
2. My revocation of this authorization will not apply to information used or disclosed as permitted by this authorization before I give New Story written notice of my revocation.
3. New Story may not condition my treatment or payment, enrollment or eligibility for benefits on whether I sign this authorization.
4. Information disclosed as permitted by this authorization may be re-disclosed by persons who receive it and is no longer protected by federal health information privacy law and FERPA.

I have read and understand this Authorization for Use or Disclosure of Protected Health Information, signed it voluntarily and received a copy.

Signature of Individual or Personal Representative: _____



Name of Personal Representative (if any): _____

Personal Representative's Authority to Act: _____

- Identity of the Individual Verified by New Story **OR**
- Identity and Authority to Act of Personal Representative Verified by New Story

Authorization Obtained: Face to Face **OR** Verbal

Received and confirmed for New Story by: _____

Signature

Printed Name and Title

When a individual is unable to provide a physical signature, two staff signatures are required to verify the individual or personal representative verbally, or with sign language, demonstrate an understanding regarding the nature of the authorization to release records and freely give consent.

Signature

Printed Name and Title

FERPA Grievance Procedures

FERPA rights violations that may lead to privacy-related complaints include but are not limited to: (1) a student records were accidentally disclosed, such as if student records were exfiltrated by adversaries due to a cyber incident; (2) if physical records were stolen from the school building; or (3) if physical records were lost while transported outside the school boundaries.

The New Story Schools (herein referred to as New Story) FERPA Grievance Procedures focus on the following three scenarios in which the school is required to address potential FERPA violations:

1. Parent or eligible student files a complaint with the school.
2. Parent or eligible student files a complaint with the USDE
3. School identifies unauthorized disclosure of student information.

1. Parent or Eligible Student files complaint with school

In instances where the parent or eligible student reaches out to the school first with a student record privacy-related complaint that may be a FERPA right violation, New Story will perform the following tasks:

1. New Story senior management will assign a school official to assist with the parent, eligible student, or their attorney filing the complaint.
2. The school official will request the parent, the eligible student, or their attorney to complete a “Privacy Concern Form” (attached) electronically or on paper.
3. The school official will validate that the form has been completed and signed by the parent or eligible student.
4. The school official will review the information provided in the form, contact the involved parties, and investigate the issue. Investigation steps and findings are documented in the “official” section of the “Privacy Concern Form”.
5. If the issue **does not** involve an accidental disclosure of the student record, the school official will work with the involved parties to reach a resolution to the reported complaint. In this scenario, the school is not required to notify the USDE.
6. If the issue **does** involve an accidental disclosure of the student record, and the parent or eligible student wishes to file a complaint with the USDE, the school official will assist the parent or eligible student to file a complaint to the USDE.
7. The school official will handle the case communication with the USDE Student Privacy Policy Office (SPPO) as the investigation is ongoing.
8. The school official will receive the findings and corrective actions from the USDE SPPO and will coordinate the implementation of those corrective actions with applicable school personnel.
9. Once the corrective actions have been implemented, the school official will notify the USDE SPPO that the case can be closed.
10. The school official will confirm with the parent or eligible student that they have informed of the investigation findings.
11. New Story will maintain all records of the complaint with the students’ educational records for as long as the educational records are maintained

2. Parent or Eligible Student files complaint with the USDE

In the instances where the parent or eligible student files a FERPA complaint directly with the USDE SPPO – either prior to, or without, reaching out to the school for a student record privacy-related complaint that may be a FERPA right violation – New Story will perform the following tasks:

1. New Story senior management will assign a school official to assist with the USDE FERPA complaint case once the school has been notified by the USDE SPPO.
2. The school official will complete the “Privacy Concern Claim” form with the information provided by the USDE SPPO.
3. The school official will gather the case information required by the SPPO, perform an internal investigation, and submit the requested information to the SPPO in accordance with the instructions provided in the SPPO FERPA complaint case notification. The school official will document the internal investigation findings in the “Privacy Concern Claim” form.
4. The school official will perform the necessary steps to comply with the USDE SPPO investigation findings.
5. The school official will receive the notification of the USDE SPPO recommended corrective actions and will coordinate with applicable school personnel to implement such measures.
6. The school official will notify the USDE SPPO that the corrective actions have been implemented and that the case can be closed.
7. New Story will maintain all records of the complaint with the students’ educational records for as long as the educational records are maintained

3. School identifies unauthorized disclosure of student information

In instances where a school employee identifies a possible FERPA right violation and senior management determines a complaint must be filed with the USDE SPPO, New Story will perform the following tasks:

1. Senior management will assign a school official to the case to investigate the possible FERPA right violation.
2. The school official will complete the “Privacy Concern Claim” form to track the case internally.
3. If the issue **does not** involve an accidental disclosure of the student record, the school official will work with the involved parties to reach a resolution. In this scenario, the school is not required to notify the USDE.
4. The school official will contact the affected parent or eligible student to inform them of the complaint.
5. The school official will communicate with the USDE SPPO as the investigation is ongoing.
6. The school official receives the findings and corrective actions from the USDE SPPO and coordinates the implementation of those corrective actions with applicable school personnel.
7. Once the corrective actions have been implemented, the school official will notify the USDE SPPO that the case can be closed.
8. The school official will confirm with the affected parent or eligible student that they have informed of the investigation findings.
9. New Story will maintain all records of the complaint with the student’s educational records for as long as the educational records are maintained.

Persons Interviewed:

Findings:

Date:

Persons Interviewed:

Findings:

Date:

Persons Interviewed:

Findings:

Date:

Persons Interviewed:

Findings:

FINDINGS AND CONCLUSION

FERPA Violation: Yes No

NOTIFICATION REQUIREMENTS

Complainant: Yes. Date: _____

US Department of Education: Yes. Date: _____

**NOTIFICATION OF PARENT AND ELIGIBLE STUDENT RIGHTS UNDER FERPA,
FERPA DIRECTORY INFORMATION DESIGNATION AND MEDIA RELEASE FORM**

A. FERPA RIGHTS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records.

These rights are:

1. The right to inspect and review the student's education records within 45 days after the day New Story Schools (herein referred to as New Story) receives a request for access. Parents or eligible students who wish to inspect their child's or their education records should submit to the appropriate New Story school official a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. If the parent or eligible student requests a copy of the education records, the school official will provide information on the process and applicable fees.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask New Story to amend their child's or their education record should write the appropriate school official, clearly identify the part of the record they want changed and specify why it should be changed. If New Story decides not to amend the record as requested by the parent or eligible student, the school official will notify the parent or eligible student of the decision and 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 student when notified of the right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to other school officials with legitimate educational interests. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel). A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically 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, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

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

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, 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 student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, 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. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2)) . Please note that New Story makes such disclosures to other agencies or institutions in which the student seeks or intends to enroll or is already enrolled, but only for purposes related to the student's enrollment or transfer.
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))



- Information the school has designated as “directory information” if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student’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 student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

If a parent or eligible student has any questions regarding these rights, they are encouraged to speak to the appropriate New Story school official or visit the FERPA website at <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html> .

B. FERPA DIRECTORY INFORMATION DESIGNATION

FERPA permits New Story Schools to release directory information about students without parental or eligible student consent, provided annual notification has been given to the parent or eligible student, and the school does not have written denial to release directory information on file. The primary purpose of directory information is to allow New Story Schools to include this type of information from a student’s education records in certain school and district publications.

Examples of general directory information are:

- Name, address, telephone listing, electronic mail address
- Date and place of birth
- Participation in officially recognized activities and sports
- Weight and height of athletes
- Enrollment status
- Date of graduation, degrees and awards received
- Dates of attendance
- Most recent previous school attended
- Programs, school yearbook information
- Grade level

Parents or eligible students wishing to opt out of this Directory Information designation may do so by providing written notice to _____[relevant position and address] no later than one month after the official first day of classes for that academic year. In addition, two federal laws require school districts receiving federal funding to provide military recruiters, upon request, with the following information – names, addresses, and telephone listings – unless parents have advised New Story Schools that they do not want their student’s information disclosed without prior, written consent. Parents may opt out of such disclosure by sending notice to the address noted above.



NOTIFICATION OF PARENT AND ELIGIBLE STUDENT RIGHTS UNDER FERPA
MEDIA RELEASE FORM

Table with 4 columns: STUDENTS FULL NAME, GRADE LEVEL, and two empty columns.

Photo Consent: (select one of the three options below)

At different times throughout the school year, New Story Schools or school representatives, partners/ vendors of New Story Schools, and media outlets request permission to film or photograph students in our schools.

- Three checkbox options regarding student consent for filming and photography.

Parent/Guardian/Eligible Student Printed Name

Parent/Guardian/Eligible Student Signature

Date

*This consent is valid for one year from the date it is signed.

**At any time throughout the year, parents/guardians or eligible students may modify the consent given to New Story Schools. Please contact yourchild's school to make these updates.

Identity and authority to act as the representative of this student verified and confirmed for New Story Schools by:

Parent/Guardian/Eligible Student Printed Name

Parent/Guardian/Eligible Student Signature

Date

Confidentiality Statement and FERPA Acknowledgment

All New Story schools, including all affiliations and subsidiaries across all schools, herein referred to as New Story, are committed to protecting the rights and privacy of all students, as well as the integrity and privacy of all student records. All New Story schools and its employees are committed to adhering to and enforcing all aspects of the Family Educational Rights and Privacy Act (FERPA).

As an employee of a New Story school I agree to the following information:

- I understand that I will have access to confidential written, electronic, and verbal communications about students during my association with the company.
- I understand that access and disclosure of any information that I receive, and review may be regulated by Federal and State governments and/or company policies and procedures.
- I understand that I have a duty to maintain the confidentiality of the student information created or received in any form, including, but not limited to educational records of students.
- I understand that the organization has FERPA/confidentiality policies that I am required to review and understand.
- I understand that I should contact my supervisor to discuss questions and concerns about confidentiality and FERPA.
- I understand that I am required to participate in compliance and FERPA training during my probationary period and annually thereafter.
- I understand that engaging in behavior that results in or could have the potential to result in a breach of confidentiality (e.g., disclosure of confidential information without an appropriate release) will subject me to discipline, up to and including immediate termination of employment and appropriate civil and/or criminal action.
- I understand that I must only use my assigned password to access the student information system and if my password is compromised, I am responsible to report this immediately to my supervisor.
- I understand that I must protect my password, not share it with others and not allow others to access the student information system using my password. I am responsible for reporting all infractions to my supervisor immediately.
- I understand that I am not permitted to download applications or files that could compromise the security of my electronic devise(s) and potentially allow for a breach to occur.
- I understand that I am responsible for reporting any suspected breaches of students' educational records to the Privacy Officer and/or my manager immediately.
- I understand that it is my responsibility to report any lost, stolen, or damaged devices, forms, notes, etc. that may contain FERPA-protected information to the Privacy Officer and/or my manager immediately.

I have read and had the opportunity to ask questions about the information on this form. My acknowledgement indicates that I understand the information on this form and the organization's expectations of me in accordance with the information on this form.

ACKNOWLEDGEMENT TO BE OBTAINED VIA UKG