

Vista Policies and Procedures

Policy Name: Family Educational Rights and Privacy Act (FERPA)
Policy Number: CE 406
Responsible Authority: Compliance Officer
Original Effective Date: February 13, 2019
Revision Date: N/A

Policy on Education Records

In accordance with the Family Educational Rights and Privacy Act (“FERPA”)¹ and the Individuals with Disabilities Education Act (“IDEA”)² and for the benefit of parents and students at the Vista School, this policy serves to notify parents and eligible students of legal age of their rights regarding education records and confidentiality. A copy of this policy, as amended from time to time, will be made available to parents of The Vista School students on an annual basis.

It is the policy of the Vista School (“Vista”) to protect the confidentiality of all personally identifiable information (“PII”) of its students during collection, maintenance, disclosure, and destruction of education records. Education records include records maintained by Vista that are directly related to a student. Exceptions this are staff training records and video surveillance and monitoring records.

Pursuant to the above-mentioned laws, as applicable, you have a right to the following:

1. The right to inspect and review your child’s education records within forty-five (45) days of Vista receiving a request for access. This includes the right to a response from Vista for reasonable requests of explanations and interpretations of the record.
 - a. Parents or eligible students who wish to inspect their child’s or their education records should submit a written request to the Vista Privacy Officer that identifies the records they wish to inspect. Vista will make arrangements for access and notify you of the time and place where records may be inspected.
 - b. In addition to the review of education records, you may also participate in meetings with respect to the identification, evaluation, and educational placement of your child at Vista.
2. The right to request an amendment of your child’s education records that you believe is inaccurate, misleading, or otherwise in violation of your child’s privacy rights under FERPA or IDEA.
 - a. Parents or eligible students who wish to request an amendment of records should submit a written request to the Vista Privacy Officer clearly identifying the part of the record you wish to amend and the reason for the request.

¹ The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records.

² The Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400; 34 CFR Part 300) is a federal law that provides special education and related services to eligible children with disabilities.

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- b. If Vista decides to decline the request for amendment, Vista will notify you of the decision and of your right to request a hearing regarding the request for amendment. Additional information about the hearing process will be provided to you when notified of the denial.
3. The right to provide written consent before Vista discloses PII from your child's education records, except to the extent that FERPA and IDEA authorize disclosure without consent, of which those applicable are listed below:
 - a. Disclosure to school officials with legitimate educational interests. At Vista, the school officials in which this exception applies include, but are not limited to, administrators, supervisors, instructors, support staff members, school board members, health and medical staff, and law enforcement unit personnel. This may also include a volunteer, contractor, or consultant, and any other individual who, while not employed by Vista, performs an institutional service or function for Vista and is under the direct control of Vista with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist;
 - b. Upon request, the disclosure to school officials of another school or school district in which a student seeks or intends to enroll;
 - c. Disclosure 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;
 - d. Disclosure in connection with financial aid for which the student has applied, if applicable; and
 - e. Disclosure to appropriate officials in connection with a health and safety emergency.
4. The right to file a complaint with either the U.S. Department of Education or the Pennsylvania Department of Education concerning an alleged failure by Vista to comply with the requirements of FERPA and IDEA. The names and addresses of the Offices are:

For purposes of FERPA:
U.S. Department of Education
Family Policy Compliance Officer
400 Maryland Avenue, SW
Washington, DC 20202

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For purposes of IDEA:
Pennsylvania Department of Education/Bureau of Special Education
Division of Compliance Monitoring and Planning
333 Market Street, 7th Floor
Harrisburg, PA 17126-0333

For questions relating to this policy, please contact the Vista Privacy Officer.

Compliance Officer Signature: _____ Date of Approval: _____