



TO ALL PARENTS OF STUDENTS CURRENTLY ATTENDING THE NEW AMERICA SCHOOL AND ALL STUDENTS CURRENTLY ATTENDING WHO HAVE REACHED THE AGE OF 18.

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that governs the maintenance of student records. Under that law, parents of students or students, if they are least 18, have both the right to inspect records kept by the school about the student and the right to correct inaccuracies in the record. Access to the records by other than the parents or the student is limited and generally requires prior consent by the parent or the student. NAS-LC has adopted a written policy governing all the rights of parents and students under FERPA. Copies of this policy may be found in the principal's office.

As defined by The New America School, directory **information** means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. NAS-LC classifies the following as directory information:

1. The student's name;
2. Grade in school;
3. Name of school;
4. Eligibility and participation in officially recognized activities, including but not limited to fine arts exhibits, performing arts programs, other performances, graduation programs and sports events;
5. Weight and height of members of athletic teams;
6. Honors and awards received;
7. Yearbooks; and
8. Identification in visual media, including photographs, videotapes, and video images, depicting school programs or activities

School officials may release directory information to any person without the consent of the parents or the student. Any parent or eligible student who objects to the release of any or all of this information without consent must notify, in writing, the principal of the school where the records are kept within fifteen (15) days following the date of the publication of this notice or within fifteen (15) days of enrollment whichever is later. The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received within the applicable fifteen (15) day period, the information will be classified as directory information until the beginning of the next school year.

In addition, NAS-LC may forward, without prior consent, education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for a purpose related to the student's enrollment or transfer. NAS-LC may also disclose education records to other "school officials" including contractors, consultants, volunteers, or other parties to whom the school has outsourced instructional services or functions, provided this outside party (1) performs an institutional service or function for which the district would otherwise use employees; (2) is under the school's control with regard to the use and maintenance of education records; and (3) is subject to the same conditions for the use and re-disclosure of education records as other school officials.

Complaints about failure of The New America School to comply with the Family Educational Rights and Privacy Act may be made, in writing, to FERPA Office, Department of Health and Human Services, 330 Independence Avenue, S.W., Washington, D.C. 20201.

Information Supplied to Military Recruiters

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c). Parents and students in grades 9-12 are asked to complete a form consenting to or denying the release of this information. If the form is not completed and returned to the school, the request for information will be honored. Forms are available at all schools serving students in grades 9-12.

Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA) 20 U.S.C. § 1232h, requires school districts to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. The rights granted by PPRA transfer from parents to a student who is 18 years old or is an emancipated minor under State law.

Activities covered by PPRA include a student survey, analysis, or evaluation that concerns any of the following eight specific areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parent
2. Mental or psychological problems of the student or student's family
3. Sexual behavior or attitudes
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of others with whom respondents have close family relationships
6. Legally-recognized privileged relationships, such as with doctors, lawyers, or ministers
7. Religious practices, affiliations, or beliefs of the student or parents
8. Income, other as required by law to determine program eligibility

This notice requirement also applies to the collection, disclosure, or use of student information for marketing purposes ("marketing surveys") and certain physical examinations and screenings ("activities").

NAS-LC does not currently plan to administer surveys or conduct activities that seek any of the "protected information" detailed above. If a protected information survey or activity is planned, the school will provide notification to parents within a reasonable period of time prior to the administration of the surveys and activities. Parents will be provided with an explanation of the activity, will have an opportunity to review the surveys and any instructional materials used in connection therewith and will have the opportunity to consent to or opt their child out of participation.

Parents who believe their rights have been violated may file a complaint with: Family Policy Compliance Office, U.S.

Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5901.

Teacher, Instructional Support provider, and Principal Qualifications

The federal No Child Left Behind Act and the New Mexico Public School Code afford parents the right to request information about the licensure and other qualifications, teaching assignment, and training of their children's teachers, instructional support providers including paraprofessionals, and school principals. Questions about teacher and staff qualifications should be directed to Margarita Porter, Principal, 207 S. Main St. Las Cruces, NM 88001.

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Approved by the Governing Council on

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