

Student/Parent Handbook

2019- 2020

We Are Here to Help You Graduate!

Enrollment

Admission to the School is based on space and program availability. The School is a non-profit, public charter school. To register an age appropriate student, a Certified copy of the pupil's birth certificate, or any document approved under A.R.S. 15-828: (Example: Baptismal Certificate, Passport, Arizona Driver License or State ID, application for a social security number, original school registration records and an affidavit explaining the inability to provide a copy of the birth certificate, letter from the authorized representative of an agency having custody of the pupil) is required. When enrolling a student, the parent, guardian, or student (if over 18) will need to complete an enrollment package and provide proof of residence, immunization record and other relevant information. Enrollment is available to all without discrimination on the basis of sex, race, color, creed, disability, sexual orientation, national origin or ancestry. Additional information on school enrollment can be found here:

<https://www.azleg.gov/arsDetail/?title=15>

Re-Enrollments

Re-enrollments are conducted on an annual basis. Re-enrollment forms must be completed and turned into the school's office by the deadline in order to secure space for the following school year. Without a completed re-enrollment form your child's spot cannot be guaranteed.

Because of high demand for students to attend the school and the school's commitment to maintaining optimum class sizes, waiting lists are created for each grade level/program. Student are placed on waiting lists once maximum class size has been reached for the requested grade level/program. Students are admitted on a first-come-first-serve basis with priority given to siblings already attending the school. Parents with children on waiting lists will be contacted when space becomes available.

Immunizations

To help protect each child, state law requires immunizations against:

- ☐ Diphtheria, Pertussis, Tetanus, Meningitis
- ☐ Measles*, Mumps, Varicella, Polio
- ☐ Hepatitis B, Hepatitis A
- ☐ Rubella (German Measles)*, Haemophilus Influenza B (Hib)

A form giving the month and year the child was immunized against these diseases MUST BE COMPLETED at the time of enrollment. Although the law allows exemptions, the County Health Department may require the school exclude exempted children from school activities if there is an outbreak of any of these diseases.

Students can be exempt from immunizations:

- If a physician certifies that one or more of the immunizations would endanger the child's life.
- If parents submit a signed statement that immunizations are contrary to their religious or personal beliefs.

Request a form from the school if needed or visit the school website at eohighschool.com and click the Documents Tab.

Attendance Policy

Our goal is to help each student graduate. If a student is not at school, he or she is not participating in the educational process.

- Students under 16 years of age are legally required to attend school. If a student is repeatedly truant, the School is required to report this to the police.
- If a student is going to be absent it is the responsibility of the parent/guardian to report the absence to the school office the same day as the absence. If the student is over 18, it is the student's responsibility to report the absence to the school office.
- Unexcused absences are any absence where the school was not notified by the parent, guardian, or student (18 or older) as to why the student was unable to attend school.
- Students will be withdrawn after the 10th consecutive unexcused absence.

Parents will receive notices by mail or phone of absences, especially those that may lead to loss of credit and withdrawal.

Equal Education Opportunities

The School is committed to the principal of equal opportunity in education. No person, on the basis of race, color, creed, sex, religion, handicap, or national origin, will be subjected to discrimination or denied the benefits of, or excluded from, any educational program or activity. Acts of discrimination, retaliation, or harassment based on race, creed, sex, sexual orientation, color, ethnicity, national origin, age, and physical or mental disability are strictly forbidden.

This civil rights statute prohibits states from denying equal educational opportunity to an individual on account of his or her race, color, sex, or national origin. The statute specifically prohibits states from denying equal educational opportunity by the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs. [20 U.S.C. §1203(f)] If you feel that a violation has occurred, please contact the school to discuss all options first. If there is a need for additional assistance, more information can be found here:

<http://civilrights.findlaw.com/discrimination/how-to-file-an-education-discrimination-complaint-with-the.html>

School Faculty – Teacher Qualifications

The School has carefully recruited the best teachers and staff to support our students. We have a team of highly qualified teachers with numerous years of web delivered and classroom teaching experience.

In Accordance with ARS § 15-183 F:

Resumes detailing certifications, fingerprint clearance information, and the teaching background of the teaching staff are available for parents and guardians of enrolled students in the front office. To make an appointment to view this information please call 480-621-3365.

SchoolMaster

Schoolmaster is the School's electronic student management system where student information is collected and stored.

Connector

The Connector allows the school to communicate with parents and students via connector messages. Important notifications and information is disseminated to all families using this system. Please make sure to keep your contact information updated with the school office to ensure timely delivery of important news and events. The Connector displays student classes, progress, grades, grade history, and time on task. The Connector is updated in real time so students, parents/guardians, teachers, and administrators/staff have the most up to date information. All students/parents are required to utilize the Connector to communicate with school staff and to monitor progress.

The School Course Completion Policy

- Students are required to attend school daily.
- Classes must be completed in the term they are assigned.
- Students and Parents/Guardians must check the CONNECTOR daily to check progress and messages.

Class Success

- Study each lesson and take notes. A typical lesson requires 20 to 30 minutes of study.
- If requested, notebooks for taking notes will be provided from the Learning Center.
- Contact your teacher regularly using the CONNECTOR for help and support.
- Assignments require a 70% or higher to continue.
- You may have up to 2 attempts on the practice test.
- You must contact your teacher if you need submissions reset.
- Any form of cheating or use of online copy/paste answers could lead to loss of credit and disciplinary action.

Standards Based Instruction

The School aligns instruction and academic programming with Arizona's College and Career Readiness Standards. These standards can be viewed on our website at eohighschool.org or on the Arizona Department of Education's website.

Civics Test

In 2015, the Arizona legislature passed the American Civics Act (House Bill 2064). This bill will require students, beginning with the graduating class of 2017, to pass a civics test based on the United States Immigration and Naturalization civics questions. Students will be required to score 60% or higher in order to graduate from high school or obtain a high school equivalency certificate. As a courtesy, the Arizona Department of Education, with help from the Maricopa County Education Service Agency and Arizona educators, has developed a mostly multiple choice version of the required test.

ECAP (Education and Career Action Plans)

An ECAP (Education and Career Action Plan) reflects a student's current plan of coursework, career aspirations, and extended learning opportunities in order to develop the student's individual academic and career goals. ECAP services may be made available for students in grades 9-12, but are not required.

Benchmark Assessments

- Students are administered a standards-based assessment multiple times each year to monitor their progress and acquisition of standards mastery.
- Students are tested in ELA and Math
- Assessments are used to guide instruction

State Assessments

- All students in grades 3 – 12 are required to take the state assessment. It evaluates performance on grade level standards in the areas of Reading, Writing and Math.
- For High School students, the state assessment is administered in the Spring during the student's 10th grade year.

Special Education

Federal and state law requires all schools to provide a free, appropriate public education to eligible children with disabilities. The free, appropriate public education refers to special education and related services described in an Individualized Education Program and provided to the child in the least restrictive environment. Child with disabilities, and their parents, are guaranteed certain educational rights, known as procedural safeguards, from birth to age 22. The law and its implementing regulations also provide methods to help you assure your input is considered.

If your child is having difficulty in school, please check with the teacher to determine what interventions have been implemented to help your child succeed. If the interventions are unsuccessful, a referral for a special education evaluation may be necessary.

If special education disabilities are suspected, we are required to evaluate your child to identify and document whether your child has a disability that affects his or her learning and, if so, to determine what special education and related services are required. This evaluation will be conducted according to federal and state guidelines and only after the plan is shared with you.

If your child qualifies for special education services, you will be a part of the team that will develop your child's Individual Education Plan (IEP). Additional State of Arizona Special Education information can be found here: <http://www.azed.gov/special-education/>

Special Education Records

The Individuals with Disabilities Education Act (IDEA) is a federal law that protects the rights of students with disabilities. In addition to standard school records, for children with disabilities education records could include evaluation and testing materials, medical and health information, Individualized Education Programs and related notices and consents, progress reports, materials related to disciplinary actions, and mediation agreements. Such information is gathered from a number of sources, including the student's parents and staff of the school of attendance. Also, with parental permission, information may be gathered from additional pertinent sources, such as doctors and other health care providers. This information is collected to assure the child is identified, evaluated, and provided a Free Appropriate Public Education in accordance with state and federal special education laws. Each agency participating under Part B of IDEA must assure that at all stages of gathering, storing, retaining and disclosing education records to third parties that it complies with the federal confidentiality laws. In addition, the destruction of any education records of a child with a disability must be in accordance with IDEA regulatory requirements.

45 Day Screenings

Screening shall be completed within 45 calendar days after entry for newly enrolled school-aged children. The screening identifies any concerns with a child's academic achievement or development. Parents are notified if any concerns are noted.

ELL

Student proficiency levels in English are measured using the Arizona English Language Learner Assessment (AZELLA). This assessment is administered if it is noted on the enrollment form that English is not your child's primary language.

If the results of this assessment indicates that your child is not proficient in English, an ILLP will be developed to support their language acquisition. For more information on ELL programs visit www.eohighschool.com.

Title 1

Title 1 of the Elementary and Secondary Education Act, provides financial assistance to local educational agencies to meet the needs of special educationally disadvantage children at preschool, elementary, and secondary school levels. The purpose of Title 1 is to help all children achieve the state's academic standards. This is accomplished through supplemental programs that consist of instructional services, instructional support services, school wide reform efforts, and increased involvement of parents in their child's education.

504 Plans

A 504 Plan helps a child with special health care needs to fully participate in school. Usually, a 504 Plan is used by a general education student who is not eligible for special education services. A 504 Plan lists accommodations related to the child's disability and required by the child so that he or she may participate in the general facilities, classroom setting,

extracurricular activities, and educational programs. Each school entity has a 504 coordinator listed in the school supplement to support students and families.

SECTION 504 GRIEVANCE PROCEDURE

It is the policy of the School not to discriminate on the basis of disability. The School has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. The Law and Regulations may be examined in the office of Danielle Paulson, Director of Special Education, (602)349-0931, DFields@eohighschool.com, has been designated to coordinate the efforts of the School to comply with Section 504.

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the School to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

Procedure:

- Grievances must be submitted to the Section 504 Coordinator within 30 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the School relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Superintendent of the School within 15 days of receiving the Section 504 Coordinator's decision. The Superintendent shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights. The School will make appropriate arrangements to ensure that disabled persons are provided other

accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

Students with Chronic Health Conditions

When a chronic health condition, identified under ARS 15-346, requires extended student absences, parents must make arrangements with the school to address the best way to accommodate the student's learning.

Homeless Students

Notice of Student Rights under the "McKinney Vento Homeless Assistance Act". Each school entity has a McKinney Vento coordinator listed in the school supplement to support students and families. Charter schools are only considered to be "schools of origin" for students that are determined to be homeless. The following is the School "McKinney Vento" coordinator who is located at our main office (6710 W. Calle Lejos Peoria AZ, 85383): Elizabeth Duncan, (602)899-1188, EDuncan@eohighschool.com. This federal legislation guarantees homeless children and youth the following:

- The right to immediate enrollment in school, even if lacking paperwork normally required for

enrollment.

- The right to attend school in his/her school of origin (if this is requested by the parent or unaccompanied youth and is feasible) or in the school in the attendance area where the family or youth is currently residing.
- The right to receive transportation to his/her school of origin, if this is requested by the parent
or unaccompanied youth.
- The right to services comparable to those received by housed schoolmates, including transportation and supplemental educational services.
- The right to attend school along with children not experiencing homelessness. Segregation based on a student's status as homeless is strictly prohibited.
- The posting of homeless students' rights in all schools and other places around the community

The term "homeless children and youth" means individuals who lack a fixed, regular and adequate nighttime residence and includes:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting formal care placement.
- Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in cars, parks, public spaces or abandoned buildings; substandard housing, bus or train stations, or similar settings.
- Migratory children who qualify as homeless because the children are living in circumstances described above.

ANIMALS IN SCHOOL POLICY

The School is committed to providing a high quality educational program to all students in a safe and healthy environment. School Administration will review student health records to determine which animals may be allowed in the school building. The decision of the School Principal shall be final.

Educational Program

No animal shall be brought to school without prior permission of the School Principal. Use of animals, including classroom pets, to achieve specific curriculum objectives may be allowed by the School Principal provided student health and safety is not jeopardized and the individual requesting that the animal be brought to school is responsible for adhering to other conditions established by the Principal to protect the health and well-being of students. Any domestic animal entering a school building must have proof of an up-to-date rabies vaccine.

Student Health

The health and well-being of students is the School's highest priority. Animals may cause an allergic reaction or otherwise impair the health of students. No animals may be brought to school or kept in the school, classroom, office or common area that may negatively impact the health of any student who must utilize that area. Animals that cause an allergic reaction or impair the health of students shall be removed from the school immediately so that no student shall have his/her health impaired and each student shall have full access to available educational opportunities.

Animals Prohibited from School

Rabies is a growing problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. The following animals are prohibited from schools within the School:

Wild Animals and Domestic Stray Animals - Because of the high incidence of rabies in bats, raccoons, skunks, foxes and other wild carnivores, these animals should not be permitted in school buildings under any circumstances (including dead animals).

Fur-Bearing Animals (wolf-hybrids, ferrets, etc.) - These animals may pose a risk for transmitting rabies, as well as parasites, fleas, other diseases and injuries.

Bats - Bats pose a high risk for transmitting rabies. Bat houses should not be installed on school grounds and bats should not be brought into the school building.

Poisonous Animals - Spiders, venomous insects and poisonous snakes, reptiles and lizards are prohibited for safety reasons.

Because of the high risk of salmonellosis and campylobacteriosis from baby chicks and ducks, these animals are inappropriate in schools without education on safe and proper handling procedures. Transmission of these diseases from chicks and ducklings to children is well-documented.

Service Animals (Guide or Assistance Dogs)

The School does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The schools will comply with Federal and Arizona law concerning the rights of persons with guide or assistance dogs and will permit such animals on school premises and on school transportation. The dog must be wearing an up-to-date rabies tag on its collar.

For purposes of this policy, a “service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability”. The regulations further state that “a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability”.

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, **but are not limited to**, animals that:

- Assist individuals who are blind or have severe sight impairments as “seeing eye dogs” or “guide dogs;”
- Alert individuals with hearing impairments to sounds;

- Pull wheelchairs or carry and pick-up items for individuals with mobility impairments; and
- assist individuals with mobility impairments with balance.

The School shall not assume or take custody or control of, or responsibility for, any service animal or the care or feeding thereof. The owner or person having custody and control of the dog shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal can also be excluded if it presents a direct and immediate threat to others in the school. The parent or guardian of the student having custody and control of the dog will be required to remove the service animal from School premises immediately.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by the School Principal or designee and an alternative plan will be developed with appropriate School staff. Such plan could include the reassignment of the person having custody and control of the animal to a different classroom assignment. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, School, and transportation staff including the involvement of the parents/guardian of the students.

When a student will be accompanied by a service animal at school or in other School facilities on a regular basis, such staff member or such student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal will be required to sign a document stating that they have read and understood the foregoing.

The Assistant Superintendent or his/her designee shall be responsible for developing procedures to accommodate a student's use of an assistance dog in any of the School facilities and on school transportation vehicles.

Prescription Medications

Medications may be administered to students during the school day when circumstances dictate that the student must take medicine at school. The following requirements must be met prior to school personnel being able to administer prescription medication:

- Parent or guardian must fill out appropriate form requesting administration of medicine. A student must never bring medication to school.
- Medication must be counted and signed off agreeing to the number of pills by the parent/guardian and the person representing the school.
- Medication must be in a properly labeled prescription bottle, as received from the pharmacy, with the name of the student, the name of the medication, the dosage and the time(s) of day the medication should be given.

- A Principal may designate a school employee to administer the medication to the student.
- All instances of administration of medicine to students must be documented in a log.
- The medication must be stored in a locked box in a locked storage cabinet.
- If the medication is returned to the parent/guardian, the medication must be again counted and signed off by both the parent/guardian and the school representative.

Over the Counter Medications

When a student must take medicine that does not require a prescription, the following procedures must be followed:

- A parent/guardian must provide a written permission statement to the administration for administering of the non-prescription medication.
- The medication must be brought to the school in the manufacturer's original container, which states the name of the drug, the proper dosage and contents of the drug.
- A Principal may designate a school employee to administer the medication to the student.
- All instances of administration of medicine to students must be documented in a log.
- The medication must be stored in a locked box in a locked storage cabinet.

Self-administration

When a licensed physician or licensed nurse practitioner has determined that a student must carry and self-administer emergency medications, including auto-injectable epinephrine and a handheld inhaler device, while at school or at a school activity, the following conditions apply:

- Parent or guardian must fill out appropriate form requesting administration of medicine by the student. A student must never bring medication to school until the parent has completed the forms.
- The student's name must appear on the medication container or on the medication device.
- Annual authorization must be obtained from the student's parent/guardian to authorize the student to possess and self-administer the medication.
- A student who uses auto-injectable epinephrine while at school or school activities must notify an administrator/staff or a designated school person of the use of the medicine as soon as practicable.

Mandatory Reporting of Criminal Activity to Law Enforcement

Arizona State Statute (A.R.S. 13-3620) requires schools and school employees to report when a child is victim of physical injury, abuse, child abuse, a reportable offense or neglect that has been inflicted by means other than accidental to local law enforcement. Suspected child abuse is not something school employees can ignore. Reasonable belief of non-accidental injury, sexual molestation, abuse, neglect, and crimes against children are required by law to be reported to local law enforcement and the Department of Child Safety.

Technology Policies and Procedures

PURPOSE

This policy provides the procedures, rules, guidelines and codes of conduct for the use of the technology and information networks at school. Use of such technology is a necessary, innate element of the School's educational mission, but technology is provided to staff and students as a privilege, not a right. The School seeks to protect, encourage and enhance the legitimate uses of technology by placing fair limitations on such use and sanctions for those who abuse the privilege. The reduction of computer abuse provides adequate resources for users with legitimate needs.

SUMMARY

Public technology that includes but is not limited to computers, wireless & LAN access, electronic mail, Internet access, Telephone/Voice Mail systems, printing devices and all other forms of instructional, networking and communication tools are provided as a service by School to students. Use of these technologies is a privilege, not a right. Students are expected to observe the following:

- All users are required to be good technology citizens by refraining from activities that annoy others, disrupt the educational experiences of their peers, or can be considered as illegal, immoral and/or unprofessional conduct.

The student is ultimately responsible for his/her actions in accessing technology at School. Failure to comply with the guidelines of technology use (as stated either in this document or in the School Handbooks) may result in the loss of access privileges and/or appropriate disciplinary action. Severe violations may result in civil or criminal action under the Arizona Revised Statutes or Federal Law.

GUIDELINES

1. Access to computers, computer system, information networks, and to the information technology environment within the School's system is a privilege and must be treated as such by all students.
2. The School's system will be used solely for the purpose of research, education, and school-related business and operations.
3. Any system which requires password access or for which the School requires an account, such as the Internet, shall only be used by the authorized user. Account owners are ultimately responsible for all activity under their account and shall abide by this Policy.

4. Technological resources are limited. All users must respect the shared use of School resources. The School reserves the right to limit use of such resources if there are insufficient funds, accounts, storage, memory, or for other reasons deemed necessary by the system operators, or if an individual user is determined to be acting in an irresponsible or unlawful manner.
5. All communications and information accessible and accessed via the School's system is and shall remain the property of the School.
6. Student use is monitored by system operators and authorized staff. Student use must be related to the school curriculum.
7. Any defects or knowledge of suspected abuse in the School's systems, networks, security, hardware or software shall be reported to the system operators.

UNACCEPTABLE USE

The School has the right to take disciplinary action, remove computer and networking privileges, or take legal action or report to proper authorities, any activity characterized as unethical, unacceptable, or unlawful. Unacceptable use activities constitute, but are not limited to, any activity through which any user:

1. Violates such matters as institutional or third party copyright, license agreements or other contracts. The unauthorized use of and/or copying of software is illegal.
2. Interferes with or disrupts other network users, services, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer viruses or worms, distributing quantities of information that overwhelm the system (chain letters, network games, etc.) and/or using the network to make unauthorized entry into any other resource accessible via the network.
3. Attempts to disable, bypass or otherwise circumvent any content filter that has been installed in accordance with the federal Children's Internet Protection Act. This includes but is not limited to the use of proxy servers.
4. Seeks to gain or gains unauthorized access to information resources, obtains copies of, or modifies files or other data, or gains and communicates passwords belonging to other users.
5. Uses or knowingly allows another to use any computer, computer network, computer system, program, or software to devise or execute a scheme to defraud or to obtain money, property, services, or other things of value by false pretenses, promises, or representations.
6. Destroys, alters, dismantles, disfigures, prevents rightful access to, or otherwise interferes with the integrity of computer-based information resources, whether on stand-alone or networked computers.
7. Invades the privacy of individuals or entities.

8. Uses the network for commercial or political activity or personal or private gain.
9. Installs unauthorized software or material for use on District computers. This includes, but is not limited to, downloading music, pictures, images, games, and videos from either the Internet or via portable drives.
10. Uses the network to access inappropriate materials.
11. Uses the system to compromise its integrity (hacking software) or accesses, modifies, obtains copies of or alters restricted or confidential records or files.
12. Submits, publishes, or displays any defamatory, inaccurate, racially offensive, abusive, obscene, profane, sexually oriented, or threatening materials or messages either public or private.
13. Uses the systems for illegal, harassing, vandalizing, inappropriate, or obscene purposes, or in support of such activities is prohibited. Illegal activities are defined as a violation of local, state, and/or federal laws. Cyber-bullying and harassment are slurs, comments, jokes, innuendos, unwelcome comments, cartoons, pranks, and/or other verbal conduct relating to an individual which: (a) has the purpose or effect of unreasonably interfering with an individual's work or school performance; (b) interferes with school operations; (c) has the purpose or effect to cause undue emotional stress or fear in an individual.
14. Vandalism is defined as any attempt to harm or destroy equipment, the operating system, application software, or data. Inappropriate use shall be defined as a violation of the purpose and goal of the network. Obscene activities shall be defined as a violation of generally accepted social standards in the community for use of a publicly owned and operated communication device.
15. Violates the Acceptable Use Policy.

SCHOOLS RIGHTS AND RESPONSIBILITIES

1. Monitor activity on the system.
2. Determine whether specific uses of the network are consistent with this Acceptable Use Policy.
3. Remove a user's access to the network at any time it is determined that the user is engaged in unauthorized activity or violating this Acceptable Use Policy.
4. Take prudent steps to develop, implement, and maintain security procedures to ensure the integrity of individual and School files. However, information any computer system cannot be guaranteed to be inaccessible by other users.
5. Attempt to provide error-free and dependable access to technology resources associated with the system. However, the school cannot be held liable for any information that may be lost, damaged, or unavailable due to technical or other difficulties.

6. Ensure that all student users complete and sign an agreement to abide by the acceptable use policy and administrative regulation. All such agreements will be maintained on file in the school office.

VIOLATIONS/CONSEQUENCES

Students who violate this Policy will be subject to revocation of the School's system access up to and including permanent loss of privileges, and discipline up to and including expulsion.

Violations of law will be reported to law enforcement officials.

Disciplinary action may be appealed by parents and/or students in accordance with existing School procedures for suspension or revocation of student privileges.

UNACCEPTABLE USE OF THE COMPUTER SYSTEMS INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

1. Altering any computer configuration including screensavers, desktop settings, network settings, passwords, etc.
2. Installing or downloading any executable files from the Internet or portable drives.
3. Using chat rooms or social web sites except for teacher-directed educational purposes.
4. Installing or using instant messenger programs.
5. Downloading MP3s or other music files.
6. Accessing online radio stations and television programs.
7. Writing, downloading, or printing files or messages that contain inappropriate language.
8. Accessing or transmitting pornographic or other inappropriate material.
9. Violating the rights to privacy of students and employees of the District.
10. Reposting personal communications without the author's prior consent.
11. Copying commercial software in violation of copyright law.
12. Attempting to hack, crack, or otherwise degrade or breach the security of the District's network, other networks, or individual computers.
13. Attempting to bypass any content filter, including the use of proxy servers.
14. Developing or passing on programs that damage a computer system or network, such as viruses.
15. Plagiarism.
16. Modifying or copying files of other users without their consent.
17. Giving out personal information such as address and phone numbers over the Internet without staff permission.
18. Accessing or transmitting material which promotes violence or advocates the destruction of property including information concerning the manufacture of destructive devices (explosives, bombs, fireworks, incendiary devices, etc.)
19. Accessing or transmitting material which advocates or promotes violence or hatred against particular individuals or groups of individuals.
20. Accessing or transmitting material which advocates or promotes the use, purchase, or sale of illegal drugs.
21. Conducting or participating in any illegal activity.
22. Any act that is determined as Cyber-bullying, harassment, or a violation of good Digital Citizenship.
23. Any inappropriate use as determined by the Superintendent, Director of Technology and/or building administrator/staff.

Insurance

Parents are responsible for their student’s medical bills when a student injury is sustained at school or during school activities.

Behavior and Discipline

The School strives to provide all students the opportunity to learn in a safe and nurturing environment. The following matrices identify, define, and provide consequences to ensure the success of these objectives. Latitude is incorporated in the matrices to allow adaptation according to student’s maturity and the severity of the violation:

Students are expected to conduct themselves, at all times, in a manner that will bring credit to themselves, their parents, and the school.

It is important that students know that the school staff is legally responsible for the conduct of students during school hours, while the students are on campus, or at any school function. Students are expected to follow the directions provided by all staff members during these times of responsibility.

*Mandated to report to local law enforcement and ADE

Infraction	Definition	First Occurrence	Repeat Occurrence
Alcohol (Possession, Distribution or Use)	The violation of laws or ordinances prohibiting the manufacture of, sale, distribution, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This would include being intoxicated at school, school-sponsored events and on school-sponsored transportation.	☒Suspension (Up to 10 days) ☒Behavior Contract ☒Expulsion	☒Suspension ☒Expulsion
Arson	Knowingly and unlawfully damaging a structure or personal property by causing a fire or explosion	☒Suspension (Up to 10 days) ☒Behavior Contract ☒Expulsion	☒Suspension ☒Expulsion
Assault/Fighting	A physical attack or fight; includes an actual and intentional touching or striking of another person against his or her will or the intentional causing of physical injury to an individual. This includes situations in which one person or group of persons physically attacks or “beats up on” another person who does not wish to engage in the conflict	☒Suspension (Up to 10 days) ☒Behavior Contract ☒Expulsion	☒Suspension ☒Expulsion
Drug Use/Under the Influence - Possession - Sales - Distribution - Paraphernalia	Includes possession, sale, use, distribution, or being under the influence of drugs; or the unlawful cultivation, manufacture, transporting of drugs; or the possession of equipment or devices used for preparing or taking drugs or at school, school-sponsored events or on school-sponsored transportation. Drugs include but are	☒Suspension ☒Behavior Contract ☒Expulsion	☒Expulsion

	not limited to all dangerous controlled substances, narcotics, inhalants, and any prescription or over-the-counter drug if abused by the student		
Extortion	Asking or demanding money or something of value in return for protection or in connection with a threat to inflict harm.	☑Suspension (Up to 10 days) ☑Behavior Contract ☑Expulsion	☑Suspension ☑Expulsion
Gangs	An ongoing loosely or organized association of three or more persons, whether formal or non-formal that has a common name, sign, colors, clandestine purpose or symbols. This includes persons wearing, carrying or displaying gang paraphernalia and/or exhibiting behavior or gestures that symbolize gang membership.		
Hate Crime	A criminal offense or threat against a person, or property or society that is motivated, in whole or in part, by the offender's bias against a race, color, national origin, ethnicity, gender, religion, disability or sexual orientation. This includes any crime that manifests evidence of prejudice based on race, religion, sexual orientation, or ethnicity	☑Suspension (Up to 10 days) ☑Behavior Contract	☑Suspension ☑Expulsion
Dangerous Item/Destructive Devices (Distribution, Possession, Use)	A dangerous item or destructive device that is used to cause bodily harm or used to intimidate another person including but not limited to: BB, paintball, stun, starter or pellet guns; knives less than 2.5 inches; or Tasers	☑Suspension (Up to 10 days) ☑Behavior Contract ☑Expulsion	☑Suspension ☑Expulsion
Robbery/Theft	Intentional taking of an individual's or organization's property	☑Suspension (Up to 5 days) ☑Restitution ☑Expulsion	☑Restitution ☑Expulsion
Sexual Harassment	Unwelcome sexual advances, request for sexual favors, or the verbal or physical conduct of a sexual nature constitutes sexual harassment when this conduct is offensive and objectionable, causes discomfort or humiliation or interferes with school performance. Includes: sexual comments, gestures, jokes or looks, being touched, grabbed or pinched in a sexual manner, flashing or mooning, spreading sexual rumors, and clothing pulled at, off, or down off in a sexual manner	☑Suspension (Up to 10 days) ☑Behavior Contract ☑Expulsion	☑Suspension ☑Expulsion
Vandalism	Deliberately defacing or destroying any school property	☑Suspension (Up to 10 days) ☑Restitution	☑Restitution ☑Expulsion
Weapons (Possession, Sale or Distribution)	Possession, use or distribution of any weapon including but not limited to handguns, rifles, shotguns, or knives at least 2.5 inches, electrical weapons, clubs, bombs, grenades, pipe bombs, or	☑Suspension Pending Expulsion	☑Expulsion

	poisonous gases or similar devices that explode.		
--	--	--	--

School Specific Discipline Matrix

The School **may** have additional information pertaining to this discipline matrix.

Weapons and Violence Policy

Policy Statement

The purpose of this policy is to provide a school environment that is conducive to learning. The underlying belief of this policy is that all children have the right to be educated in a safe and nurturing environment. Therefore, violations of these rights and violations of the atmosphere which supports sound education will not be tolerated.

The School hereby adopts this policy for weapons and violence in schools. The policy provides the power for administrator/staff to address potentially dangerous situations. It sets the tone for all to understand that weapons and violence will not be tolerated and will not be allowed in any of the School's schools. However, when administrator/staff are implementing the policy they are allowed some flexibility given the age of the student and the circumstances.

In order to ensure that this occurs, the following has been established:

Definitions

Weapons

The term "weapons" shall include, by the way of illustration, the following enumerated items: any loaded or unloaded firearm (including but not limited to pistol, blank pistol, signal pistol, starter pistol, revolver, rifle, shotgun, cross-bow); any knife (including but not limited to Bowie, Dirk, lock-blade, hunting pen, pocket, switchblade, utility); any defensive weapon (including but not limited to gas repellent, pepper gas, mace, stun gun); any martial arts device (including but not limited to Chinese stars, nunchaku) or any tool or instrument which school administrative staff could reasonably conclude as being capable of inflicting bodily harm (including but not limited to blackjack, chain, club, knuckles, night stick, pipe, studded bracelet); or which by virtue of its shape or design gives the appearance of any of the aforementioned (including but not limited to air pistol, air rifle, BB gun).

Assault

Assault is defined as an act of physical violence or a threat of physical violence by a student on another student or staff member. Any willful attempt or threat to inflict injury upon the person of another, when coupled with an apparent present ability to do so, and any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm, constitutes an assault. An assault may be committed without actually touching, or striking, or doing bodily harm to the person of another. For crime of assault, victim need not be apprehensive of fear if the outward gesture is menacing and defendant intends to harm, though for tort of assault, element of victim's apprehension is required.

When considering what constitutes assault, the factors to be weighed include: age of student (s) involved, seriousness of bodily injury, the intent of the individual (s) involved, any disability affecting behavior of the individual, and any other factors deemed relevant to the principals or their designee.

Suspension

Suspension is defined as that act by a school administrator/staff that removes a student from school for a specified period of time, not more than the length of the entire school year.

1. A short term suspension is removal from a school for ten (10) days or less and may be imposed by the appropriate school official;
2. A long term suspension is removal from a school for more than ten (10) days and must be approved by the appropriate school official.

Police Involvement

1. In all cases involving weapons or assault with a weapon in schools or on school grounds or at school sponsored activities, local police shall be called immediately, and all confiscated weapons are to be turned over to the police department at that time.
2. A log of all confiscated weapons will be kept by school administrator/staff and will be available to be reviewed by the local police department on a monthly basis.

Statement on Enforcement

This policy will be implemented according to the due process provisions applicable to regular and special education students.

1. Any student found to be in possession of a weapon, or involved in an assault, as defined herein, will immediately be suspended in accordance with applicable due process provisions. During this suspension, the school administrator/staff will take the necessary steps in determining any additional action, which may include long term suspension. Any student who gives a weapon to another student will also be subject to similar disciplinary action.
2. Decisions regarding the specific length of a student's suspension will be made by the appropriate authority. Any student suspended from school cannot participate in school functions or be on school premises.

Weapons Seizure Report

A log will be kept on file at the School for the purpose of recording information on ALL weapons seized. The log shall be kept in the principal's office to be reviewed only by the police and the appropriate school personnel.

The reason for maintaining said log are as follows:

1. To record and utilize statistical information regarding the possession of weapons in the schools and monitor the rise or fall of such incidents during a specific period. These statistics would assist in evaluating programs that may be in place in the schools to combat weapons and violence or to dictate the need for such programs.
2. To examine these logs with both a school administrator/staff and a law enforcement official so that they might detect a pattern of incidents occurring in a specific community. For example, if possession of weapons escalated in a specific school, it might be indicative of violence rising and students attempting to protect themselves from aggressive actions.

3. To demonstrate the effectiveness of programs sponsored and operated by both the police and school departments in order to solicit funding from various sources.
4. To dictate the need for increased law enforcement or other methods where weapons possession may be on the rise in a particular school.

Alcohol, Tobacco and Drug Free Schools Statement:

The School is considered a “drug free school zone” under state law. Therefore, the following are prohibited:

1. The use, distribution or possession of any tobacco product on school property regardless of the individual’s age. Parents and employees may possess tobacco products in their vehicles while on school grounds or at school events, however the use of the tobacco products is strictly prohibited. This includes electronic cigarette devices.
2. The use, distribution, manufacture, purchase or sale of illegal drugs, inhalants, noxious substances, drug paraphernalia, imitations of illegal drugs/noxious substances, dietary supplements, or medication.
3. The use, possession, sale, purchase or distribution of alcoholic substances.
4. Intoxication of being under the influence or use of any alcohol, tobacco, or drug at any school event.

Suspension of Special Education Students

The long-term suspension of students with disabilities will be handled in accordance with the IDEA and its implementing regulations.

Short-Term Suspension

Short-term suspension means the temporary withdrawal of the privilege of attending school for a period of ten consecutive school days or less. The school administrator/staff have the authority to impose short-term suspensions. The administrator/staff may suspend the student for ten days or less, choose another disciplinary alternative, or exonerate the student. A written record of the decision shall be kept in the student’s discipline file.

If a short-term suspension is imposed upon the student, the following steps shall be taken:

- The student shall receive verbal notice of the alleged misconduct. The student shall be provided with the opportunity to explain his/her version of the situation. The school official involved shall make reasonable efforts to verify facts and statements prior to making a decision regarding discipline.
- A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.

- On the day of suspension, the principal shall contact the parent and inform him/her of the suspension. If the parent cannot be contacted by phone, a letter must be sent to the parent explaining the terms and reasons for the suspension and to request a meeting to solicit his/her help.

Long-Term Suspension

Long-Term Suspension means the temporary withdrawal of the privilege of attending school for a set period of time for ten (10) or more consecutive school days. If a recommendation for a long term suspension is made, a notification of the long term suspension will be mailed or hand delivered to the parent, guardian or emancipated minor to the last known address.

Expulsion

Expulsion means the permanent withdrawal of the privilege of attending the School. The Superintendent, and/or the Governing Board are authorized to impose a long-term suspension or expulsion.

The student shall receive the verbal notice of the alleged misconduct. The student shall then be provided with the opportunity to explain his/her version of the situation. The school official involved shall make reasonable efforts to verify facts and statements prior to making a recommendation regarding discipline.

If a recommendation of an expulsion is made, a notification of the expulsion will be mailed or hand delivered to the parent, guardian or emancipated minor to the last known address.

This letter should include the following information:

- The nature of the offense(s) alleged and the policies, regulations or rules allegedly violated.
- A statement that the school principal has imposed expulsion.
- Definition of expulsion.
- The official date of expulsion.
- A statement that the parent, guardian, or emancipated student are welcome to meet with the principal to discuss the situation in an informal setting.
- A statement that a formal hearing may be requested. This request must be made in writing and returned to the principal within five (5) business days after the notice of intent to expel letter is mailed or hand delivered.

If a timely written request for a formal hearing is received, the principal shall forward the request to the Governing Board secretary. A hearing date shall then be scheduled. Written notice regarding the hearing shall be mailed and/or hand-delivered to the parent(s), guardian(s), or emancipated student within five (5) business days prior to the hearing and shall include the following information:

- The charges and the rule or regulation violated.

- The extent of the punishment to be considered.
- The date, time and place of hearing.
- A statement that the student may present witnesses.
- A statement that the student may be represented by counsel at his/her own cost. Notice that the student will be represented by legal counsel shall be provided to the School at least two (2) working days prior to the hearing.
- If a hearing officer has been designated, the name of the hearing officer. If the Governing Board will serve as the hearing officer, it will distinguish this information on the written notice.

A formal hearing will be held, during which the student will be informed of the following:

- A statement of the right of the parents of a student, who is subject to expulsion, to object to the Governing Board's resolution to have the hearing in executive session or closed session if a hearing officer has been designated.
- The student is entitled to a statement of the charges and the rule or regulation violated.
- The student may be represented by counsel, at his own expense.
- The student may present witnesses.
- The student or counsel may cross-examine witnesses presented by the School.
- Either the hearing must be recorded on tape or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to tape-record the hearing at their own expense.

The Hearing Officer shall prepare a written decision within ten (10) days after the hearing. The Governing Board's decision is final and no appeal is available if the Board serves as the hearing officer. If a hearing officer holds the hearing, the parent/student can only appeal the recommendation of expulsion to the Governing Board, the Governing Board's decision is final and no appeal is available.

Bullying/Cyberbullying/ Harassment/ Hazing/ Intimidation

The School is committed to provide all students with a safe school environment where everyone is treated with respect. Students have a right to be free from any form of bullying. Students, parents, and school employees have a right and a responsibility to report incidents of bullying. Reports must be made within 30 days of the last incident. Definition(s): Bullying is the act of systemically and chronically inflicting physical harm and/or psychological distress on others, to include, but not limited to, fear, anxiety, psychological and emotional harm. Cyberbullying is the act of systemically and chronically inflicting psychological distress on others to include, but not limited to, fear, anxiety, psychological and emotional harm through electronic means such as texting, messaging, email and social media.

Any student who has committed the act of bullying, intentionally filed a false report or retaliated against another who has participated in an investigation, proceeding or hearing conducted in response to an investigation of bullying, will be subject to disciplinary action including possible police involvement.

Anti-Bullying Program - The aim of the anti-bullying policy is to ensure that students learn in a supportive, caring and safe environment without fear of being bullied. Bullying is an anti-social behavior that affects everyone. It is unacceptable and will not be tolerated. Only when all issues of bullying are addressed will students be able to fully benefit from the opportunities available at schools. The three main types of bullying are:

- physical (hitting, kicking, theft)
- verbal (name calling, racist remarks)
- indirect (spreading rumors, excluding someone from social groups)

Students who are being bullied may show changes in behavior, such as becoming shy and nervous, feigning illness, taking unusual absences or clinging to adults. There may be evidence of changes in work patterns, lacking concentration or truancy from school.

Students must be encouraged to report bullying in schools. Teaching and support staff must be alert to the signs of bullying and act promptly and firmly against it in accordance with school policy.

The principal has the responsibility to adopt procedures throughout the whole school to prevent bullying among students and to teach these procedures to all staff, parents and students in curriculum, professional development and assemblies as appropriate. The following steps may be taken when dealing with incidents:

- If bullying is suspected or reported, the incident will be dealt with immediately by the member of staff who has been approached
- A clear account of the incident will be recorded and given to the principal
- The principal or appointee will interview all concerned, record the incident and take appropriate disciplinary action
- Teachers will take appropriate preventive actions and advise the principal of repeat incidents so that principal can take further necessary action
- Parents will be kept informed
- Punitive measures will be used as appropriate
- An immediate opportunity to discuss the experience with a trusted staff member
- reassurance from the staff

- an offer for continuous support to help restore self-esteem and confidence

Students who have bullied will be supported in the following ways:

- discuss the incident(s)
- discover why and how they became involved in the incident(s)
- acknowledge and take ownership for the wrong doing and the need to change
- inform their parents or guardians and enlist their help in the process of change

Harassment is defined as the intentional disruptive or threatening behavior by a student(s) to another student(s); including but not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact, unwelcome verbal or written comments, photographs or graphics. Harassment may be direct or indirect. Harassment may be related to but not limited to, race, religion, sexual preference, cultural background, economic status, size or personal appearance.

Students who have been found to be harassing others will face significant disciplinary actions.

Hazing, or aiding and abetting another person who is engaged in hazing, is prohibited at any of the School's Schools and is prohibited in connection with any organization that is affiliated with School's Schools.

Hazing is defined as any intentional, reckless act committed by a student, whether individually or in concert with other persons, against another (with or without their consent), which contributes to substantial risk of potential physical injury, mental harm or personal degradation in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with School's Schools.

Hazing does not include customary athletic events, contests or competition sponsored by the school, or any activity affiliated with a legitimate educational curriculum or legitimate extracurricular program.

Any staff member who knowingly permits, authorizes, condones, or fails to report hazing activity will be subject to disciplinary action. Any student that has engaged in violation of this policy shall be subject to disciplinary action, which may include suspension or expulsion.

If a student believes he or she has been subject to hazing, the student should report the behavior to a teacher or school administrator/staff. Staff members must report the incident to the school administrator/staff or next higher administrative supervisor in writing (including all details provided). A failure by a staff member to timely inform the school of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary

action. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator/staff. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted at each school and shall be made a part of the rights and responsibilities section of each school's student handbook.

The School's procedure for reporting and investigating harassment/discrimination claims shall apply for all hazing violations.

Intimidation is defined as intentional behavior by a student(s) that places another student(s) in fear of harm of person or property; may be manifested emotionally or physically, directly or indirectly, and by use of social media. Students who have been found to be intimidating others will face significant disciplinary actions.

Student Interviews

School officials may interview students regarding incidents at school without limitation. Parents will be contacted if a student interviewed is then subject to discipline for a serious offense. If law enforcement is contacted the Superintendent will also be contacted.

If law enforcement/DCS notifies the school administrator/staff that they wish to interview a student, the school administrator/staff, based upon law enforcement/DCS recommendation, may or may not attempt to contact the student's parent(s). If the interview is held at the school, a school administrator/staff shall be present unless law enforcement requests that the administrator/staff not be present.

There may be times when law enforcement/DCS representatives request that parents are not notified. In all other cases, a parent, with the law enforcement officer's permission, may be present during the interview except when interviews are conducted by a child DCS representative (in the case of suspected abuse) pursuant to A.R.S. 8-224 and 8-564.01.

Student Searches

The administration has the right to search and seize property, including school property temporarily assigned to students, when there is reasonable suspicion that some material or matter is detrimental to the health, safety, and welfare of the student(s) exists.

Items provided by the school for storage (i.e. lockers, desks) are the property of the school and are subject to control and supervision. Students have no reasonable expectation of privacy and items may be inspected at any time without notice by school personnel.

A minimum of two (2) people will be present when conducting student searches.

Due Process

Students involved in any type of disciplinary problem must enter the discipline process at the preliminary investigative point where early guilt or innocence of charges is determined.

Dependent upon the seriousness of the offense, the student must be accorded the following basic rights:

- Notice of the charges, nature of the evidence supporting the charges and the consequences if the charges are proven true.
- Notice of the right to a hearing at which time he/she has the opportunity to respond to the allegation and tell his/her side of the story.
- A fair hearing, including the right to present witnesses and evidence.
- A fair and impartial decision

Educational Records

Student Records:

Parents/guardians have access to their children's school records. School employees observe confidentiality of

student records and recognize that only important, factual information should be in permanent records.

FERPA regulations broadly define a "record" as "information recorded in any way, including but not limited to, handwriting, print, computer, media, video or audio tape, film, microfilm and microfiche." The term

"educational record" is defined as "those records, files, documents, and other materials which...contain

information directly related to a student; ...and are maintained by an educational agency or institution or by person acting for such agency or institution."

Annual Notification of Confidentiality Rights Regarding Education Records of Students and Their Parents

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. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

FERPA for Non-Custodial Parents

The Family Educational Rights and Privacy Act (FERPA) sets out requirements designed to protect the privacy of parents and students. In brief, the law requires a school district to: 1) provide a

parent access to the records that are directly related to the student; 2) provide a parent an opportunity to seek correction of the record he or she believes to be inaccurate or misleading; and 3) with some exceptions, obtain the written permission of a parent before disclosing information contained in the student's education record.

The definition of parent is found in the FERPA implementing regulation under 34 CFR 99.3.

"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 a guardian.

Section 99.4 gives an example of the rights of parents.

An educational agency or institution shall give full rights under the Act to either parent, unless the agency or institution 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.

This means that, in the case of divorce or separation, a school district must provide access to both natural parents, custodial and non-custodial, unless there is a legally binding document that specifically removes that parent's FERPA rights. In this context, a legally binding document is a court order or other legal paper that prohibits access to education record, or removes the parent's rights to have knowledge about his or her child's education.

Custody or other residential arrangements for a child do not, by themselves, affect the FERPA rights of the child's parents. One can best understand the FERPA position on parents' rights by separating the concept of custody from the concept of rights that FERPA gives parents. Custody, as a legal concept, establishes where a child will live, and often, the duties of the person(s) with whom the child lives. The FERPA, on the other hand, simply establishes the parents' right of access to and control of education record related to the child.

If you do not wish any or all of the above information released about your son/daughter, you may complete a request by completing the form in the enrollment package.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.

Federal Relay Service:

- (800) 877-8339 TTY / ASCII (American Standard Code For Information Interchange)
- (877) 877-6280 VCO (Voice Carry Over)
- (877) 877-8982 Speech-to-Speech
- (800) 845-6136 Spanish

- (866) 377-8642 Voice
- (866) 893-8340 TeleBraille
- (800) 877-0996 Customer Service (Voice/TTY, ASCII and Spanish)

Or you may contact us at the following address:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-852