

## LEGAL NOTIFICATIONS

### **Notice of Non-Discrimination under Title VI, Title IX, Section 504, Age Discrimination Act, Title II of the American with Disabilities Act (District Policies 4140, 8400)**

Adams 12 Five Star Schools does not discriminate on the basis of race, color, sex, age, religion, creed, national origin, ancestry, genetic information, marital status, sexual orientation, gender identity and disability in its programs, activities, operations and employment decisions and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

General Counsel  
Adams 12 Five Star Schools  
1500 East 128th Avenue  
Thornton, CO 80241  
720-972-4004

### **Homeless Students Notification (District Policy 5270)**

Specific rights and protections are ensured to parents, children and youth experiencing homelessness as defined under the McKinney-Vento Homeless Assistance Act. For more information about services for homeless students refer to District Policy 5270 or contact the Homeless/Migrant Education Liaison at 720 972-4144.

### **Notification of Rights under the Family Educational Rights and Privacy Act (FERPA) (District Policy 5300)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("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 of the day the School receives a request for access. Parents or eligible students should submit to the School principal a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
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 the School to amend a record should write the School principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to privacy of personally identifiable information in 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 school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, teacher, or support staff member (including but not limited to paraprofessionals, transportation personnel, health and law enforcement unit personnel and before-and-after-school program personnel); a member of the school board; a person, agency or company with whom the District has contracted, or otherwise arranged to perform a specific task or service; or, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another "school official" in performing his or her tasks.

A school official 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 District discloses education records without consent to officials of another 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 District 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 Notice for Directory Information (District Policy 5300)**

FERPA requires that the District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. 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 three directory information categories – 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.

Parents and eligible students that do not want the District to disclose directory information from your child's education records without prior written consent, must give written notice by October 1 of the current school year to the principal of the school in which the child is enrolled. The District has designated the following information as directory information:

- Student's name

- Student's Grade
- Photograph
- Dates of attendance
- Participation in officially recognized activities & sports
- Weight and height of members of athletic teams
- Major field of study
- Degrees, honors, and awards received
- Date and place of birth
- The most recent previous educational agency or institution attended

### **Student Sex Offenders (District Policy 5900)**

District Policy 5900 addresses management of student sex offenders. Further, Colorado Revised Statute 22-1-124 instructs school districts to notify parents of their right to request information concerning registered sex offenders in the community. More information on accessing such information may be obtained online at either of the following:

[http://dcj.state.co.us/odvsom/Sex\\_Offender/SO\\_Pdfs/schoolresourceguideregistration.pdf](http://dcj.state.co.us/odvsom/Sex_Offender/SO_Pdfs/schoolresourceguideregistration.pdf)

OR

<https://docs.google.com/a/state.co.us/file/d/0B67htTDuFr48VWJ6ZmZZRXdGcGM/edit?pli=1>

District Policy 5900 provides more information about this topic. For additional information parents may also contact the District's Manager of Security Services at 720-972-4256.

### **Notification of Rights under the Protection of Pupil Rights Amendment (PPRA) (District Policy 6510)**

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) –
  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. Sex 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 lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents; or
  8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of –
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and

3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

- Inspect, upon request and before administration or use –
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

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. 20202-8520

### **Student Pick-Up Authorization**

Notice: Without prior authorization from a parent/legal guardian, students will not be released before the end of the school day to anyone other than a parent or legal guardian. By default, a parent who resides with the student and a parent who resides at another address will be allowed to pick up the student.

Parents may consent in writing to allow other individuals, including but not limited to step-parents, older siblings and grandparents, to pick up their child(ren) prior to the end of the school day without first obtaining permission from a parent/legal guardian. If you would like to authorize other people to pick up your child(ren), please request a *Student Pick-Up Authorization* form from each child's school, fill it out, and return it to the school.

According to District Policy 5700, school personnel may excuse a pupil before the end of the school day upon request of the parent or legal guardian for reasons which include, but are not limited to, the following: doctor appointments, home crises, and prior approved lunch passes.

## **Media/Publicity/Internet Publishing Waiver**

There may be times during the school year when your child is photographed, recorded or videotaped for District or media purposes. Different media groups (newspapers, television, radio, university, school production classes, district public relations and marketing, etc.) or outside organizations that support the District's educational mission cover activities at our schools with articles, video or still photography that may be published in print media, aired on television or radio, or published on the Internet. Furthermore, students may be involved in school or classroom activities or projects that are posted to District, school or outside websites.

If parents DO NOT want their child(ren) to be photographed or videotaped for news media or school publicity purposes, please request an "opt-out media form" from your child's school. Simply complete the form and return it to your school's front office so the school has a record of your request that your child(ren) are not to be photographed or videotaped by news media or for school district publicity.

District photographers will make every reasonable effort to identify the primary subjects in photographs and to not publish photos containing students on the opt-out list.

**A signed Opt-Out form will be good for the current school year.**

This policy relates to classroom activities or school events that are not already open to the public. Public events such as sporting events, theater productions, etc. are considered open to the public and photographers and videographers who attend those events are not included in this policy. This policy also does not apply to yearbook photos.

## **Student Records Access**

Under federal law, parents are entitled to access their child(ren)'s education records unless the District is provided a court order specifically prohibiting them or other individuals from doing so. If you have such an order, please provide a copy to your child(ren)'s school(s). In the absence of such an order, both custodial and non-custodial parents have the right to access their child(ren)'s education records, the right to seek to have the records amended and the right to consent to disclosure of personally identifiable information from the records to third parties.

Parents may also consent in writing to allow other individuals to access their child(ren)'s education records. If you would like to grant other people access to your child(ren)'s education records, please request a *Student Records Access* form from your child(ren)'s school(s), fill it out, and return it to your child(ren)'s school(s).

## **Military Recruiters**

By law (Colorado Revised Statute 24-72-204 (4) (d) (I-V), the school district must release names, addresses and home telephone numbers of secondary school students to military recruiters, unless the student objects to the release in writing. Recruiting officers shall only use the data to provide information to students regarding military service. They are prohibited by law from further disclosing the information to anyone other than individuals within the recruiting services of the armed forces.

Contact your child(ren)'s school for the Opt-Out form if you do not want your information released to the armed forces.

**A signed Opt-Out form will be good for the current school year.**

## **Asbestos Hazard Emergency Response Act (AHERA) Annual Legal Notification**

In accordance with the United States Environmental Protection Agency's Asbestos Hazard Emergency Response Act, the District has Asbestos Management Plans available for review at each school and the Educational Support Center, 1500 E. 128th Avenue in Thornton, CO, 80241. Contact the Environmental Health and Safety Specialist, with any questions. Telephone: 720-972-4236.