

PRIVACY ACT / PUPIL PROTECTION / NOTIFICATIONS

SECTION VI

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FAMILY EDUCATION RIGHTS AND PRIVACY ACT NOTICE (FERPA)

Student Educational Records

The student records maintained by the Dubuque Community Schools are composed primarily of testing records, psychological reports, grade records, health records, attendance records, records relating to extracurricular activities, age records, and records of former disciplinary actions. These records are kept at the school of attendance and are under the charge of the principal of each school.

Upon request, the School District may disclose education records without parental consent to school officials of another school or school system in which a student seeks or intends to enroll.

A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member; a person serving on the School Board; a person or company with whom the School has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, therapist); 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 education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Parents’ Right To Review

A parent of a student or a student who has reached age 18 may inspect the educational records of the student except as limited by law. The opportunity to inspect may be made at the school of attendance and shall be provided within 45 days of the request by a parent, or by a student who has reached age 18. The principal of the school may require that such request be made in writing.

Parents’ Right to Amend

The parent of a student or a student who has reached age 18, who believes that information contained in the records is inaccurate or misleading, may request in writing that certain records be amended and the reason therefore, and such request will be considered by the school district as provided by the Family Educational Rights and Privacy Act.

Parents’ Right to File Complaint

If the parent feels the school district failed to comply with FERPA requirements, he or she has the right to file a complaint with the US Department of Education concerning the alleged failures. Complaints should be filed with: Family Policy Compliance Office, US Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920

Legal Status of Student

If a student’s legal status, such as the student’s name or the student’s custodial arrangement, should change during the school year, the parent or guardian must notify the school district. The school district needs to know when these changes occur to ensure that the school district has a current student record.

Inspection of Educational Materials

Parents and other members of the school district community may view the instructional materials used by students in the office. Copies may be obtained according to board policy. Tests and assessment materials are only available

for inspection with the consent of the superintendent. Persons wishing to view instructional materials or to express concerns about instructional materials should contact their home school.

TITLE 1 PARENT NOTIFICATION REQUIREMENTS

Parents Right-to-Know Sec. 1111 (h) (6) of Iowa Code

Parents of students in Title 1 schools are guaranteed annual notification of their “right to know” about teacher qualifications by their school district. That means parents may request and receive information regarding the professional qualifications of the student’s classroom teachers including:

- (a) whether the teacher is state-certified;
- (b) whether a teacher is teaching under emergency or other provisional status; and
- (c) the baccalaureate degree major of the teacher and any other graduate degree major or certification.
- (d) whether the child is provided services by a paraprofessional and, if so, his/her qualifications.

This serves as notification that, parents at the beginning of each year, have the right to information on the professional qualifications of their child’s classroom teacher from the school district.

- Notification may be included in district news letters or other communications to parents
- Notification will occur should a child be taught for four or more weeks by a teacher who is not highly qualified

Parents must be informed if their child is placed in a Limited English Proficient program. LEAs must provide parents with information on student’s performance level on each state assessment. (required in Chapter 12 of Iowa Administrative Code).

Parent Notification Sec. 1118 (c) (4) of Iowa Code

Schools must provide parents of participating children –

- timely information about the Title 1 program
- a description and explanation of the curriculum, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
- if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicable possible; and
- if the school-wide program plan under section 1114 (b) (2) is not satisfactory to the parents of participating children, submit any parent comments on the plan when the school makes the plan available to the local educational agency.

RELEASE OF STUDENT INFORMATION

Directory Information

The following information may be released to the public in regard to any individual student of the school district as necessity or desirability arises:

NAME, ADDRESS, TELEPHONE LISTING, PHOTOGRAPH, IMAGE OR LIKENESS, VIDEO TAPES AND IMAGES PRODUCED IN ANY OTHER MEDIA, DATE AND PLACE OF BIRTH, MAJOR FIELD OF STUDY, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES AND SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, AND THE MOST RECENT PREVIOUS SCHOOL OR INSTITUTION ATTENDED BY THE STUDENT.

In accordance with Board Policy #5103, any parent or guardian wanting this information withheld must make objection, in writing, **within two weeks of receiving this notice**, to the principal or other person in charge of the school which the student is attending. This request must be made on a yearly basis.

(SEE **FORM 9**, INFORMATION RELEASE FORM, AT THE BACK OF THIS HANDBOOK, IF YOU WISH TO HAVE STUDENT DIRECTORY INFORMATION WITHHELD.)

Military Information

Federal law requires schools that receive financial aid to give military recruiters the names, addresses, and phone numbers of high school juniors and seniors, and to provide military recruiters with the same access to students as employers and college recruiters. Any parent or guardian wanting this information withheld from the military must make objection on a yearly basis as part of eRegistration or by completing the Permissions form.

(SEE **FORM 22**, PERMISSIONS, AT THE BACK OF THIS HANDBOOK. The form is also available in the school offices, the eRegistration site and the district website at www.dbqschools.org/forms.)

Northwest Evaluation Association Data Disclosure

Pursuant to 34 CFR 99.33(b), a school may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school if the disclosures meet the requirements of Section 99.31 and the schools have complied with Section 99.32(b) which requires a record of the disclosure, including the names of the additional parties to which the receiving party may disclose and the legitimate interests which each of the additional parties has in requesting or obtaining the information.

Pursuant to 34 CFR 99.33(b), the Dubuque Community Schools have granted permission to the Northwest Evaluation Association (NWEA) to allow the Iowa Department of Education (DE) direct access to student test scores and student, school, and district level information resulting from assessments administered from this point until this agreement is terminated or modified by either party. This agreement will allow the DE to link NWEA data to Iowa's Statewide Longitudinal Data System. This permission shall be in effect from January 21, 2011 until terminated in writing by either organization.

PROTECTION OF PUPIL RIGHTS AMENDMENT NOTICE (PPRA)

The Protection of Pupil Rights Amendment (PPRA), requires the Dubuque Community Schools to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight 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 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.

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

For surveys and activities, each school will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.)

SECTION 504 OF THE REHABILITATION ACT OF 1973

American Disabilities Act (ADA) - PUBLIC NOTICE

Section 504 and ADA is an Act which prohibits discrimination against persons with a disability by an institution receiving federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);
2. has a record of such impairment; or
3. is regarded as having such an impairment

In order to fulfill obligations under Section 504, the Dubuque Community School District has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and practices of the school system.

The school district has responsibilities under Section 504, which include the obligation to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

A parent may request a form to initiate a referral for any student by contacting the principal of any school or the ADA/Section 504 Coordinator. If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to:

1. inspect and review his/her child's educational records;
2. make copies of these records;
3. receive a list of all individuals having access to those records;
4. ask for an explanation of any item in the records;
5. ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and
6. a hearing on the issue if the school refuses to make the amendment.

If there are any questions, please feel free to contact The Office of the Superintendent at 2300 Chaney Road, Dubuque, Iowa 52001.

ACCESSIBLE INSTRUCTIONAL MATERIALS (AIM)

The 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA) included the requirement that students with visual impairments and students with print disabilities receive their textbooks and core-related instructional materials in a timely manner.

Core curriculum material and textbooks may need to be converted to these specialized formats. Specialized formats enable students with print disabilities to gain the information they need to complete tasks, master IEP goals, and reach curricular standards.

These accessible materials may be secured from different sources depending upon the defining characteristics of the students' disability and need. Decisions regarding Accessible Instructional Material must be made by the IEP Team.

CIPA, COPPA AND MICROSOFT OFFICE 365 FOR EDUCATION

Child Internet Protection Act (CIPA)

The school is required by CIPA to have technology measures and policies in place that protect students from harmful materials including those that are obscene and pornographic. This means that student email is filtered, logged and archived. For more information, see fcc.gov/cgb/consumerfacts/cipa.html.

Children's Online Privacy Protection Act (COPPA)

COPPA applies to commercial companies and limits their ability to collect personal information from children under 13. No advertising is available in Dubuque Community School District's presence in Microsoft Office 365 for Education system. No personal student information is collected for commercial purposes. The school's use of student information is solely for education purposes only. For more information, see www.ftc.gov/privacy/coppafaqs.shtm.

Families of students under age 13 receive notice of web 2.0 tools being used in school.

(SEE **FORM 22, PERMISSIONS**, AT THE BACK OF THIS HANDBOOK. The form is also available in the school offices, the eRegistration site and the district website at www.dbqschools.org/forms.)

Microsoft Office 365 for Education Notification

The Dubuque Community School District is utilizing Microsoft Office 365 for Education for students, teachers, and staff. Office 365 is an institution-managed service not a consumer service, and provides the district with a true enterprise-ready, collaborative solution at no cost and without advertising. The following information describes the tools and student responsibilities for using these services. As with any educational undertaking, a strong partnership with families is essential to a successful experience.

The following services are available to each student in the district in a safe and secure environment and are hosted by Microsoft as part of Dubuque Community School District's online presence in Microsoft Office 365 for Education:

- Outlook: an individual email account for school use managed by the school district in a closed-campus environment to safeguard students from receiving unsolicited messages not approved by the district.
- Calendar: an individual calendar providing the ability to organize schedules, daily activities, and assignments.
- People: an address book for the student in-district contacts.
- Web Apps: Word, PowerPoint, Excel, and OneNote Online allow students to work across multiple devices, right from a browser. Multiple users can work on the same document together.

- OneDrive: a website application allowing the gathering of a variety of information in one place – including videos, calendars, presentations, attachments, and text – and easily shared for viewing or editing with a small group, an entire organization, or the world.
- Student Advantage: access and install the familiar experience of Office in an always up-to-date cloud service at their education institution and at home during throughout their education journey with Dubuque Community School District which is renewable until graduation or until your child transfers to a different school district.

Microsoft continues to add new tools, and the district will evaluate each for its educational potential. To learn more about Office 365 for education which provides staff, faculty, and students at your child's school with free email, sites, online document editing and storage, instant messaging, web conferencing and much more in a safe and secure environment operated by the district and backed by Microsoft, please visit office.microsoft.com/en-us/academic.

Using these tools, students collaboratively create, edit and share files and websites for school related projects and communicate via email with other students and teachers. These services are entirely online and available 24/7 from any Internet-connected computer. Examples of student use include showcasing class projects, building an electronic portfolio of school learning experiences, and working in small groups on presentations to share with others. Please contact the school's technology coach or the district technology office at any time regarding privacy questions or concerns, or to request to review what personally identifiable information has been provided by the school. Families do have the option of opting out of using Microsoft 365 for Education tools.

(SEE **FORM 21**, MICROSOFT OFFICE 365 FOR EDUCATION OPT OUT COMPLIANCE FORM, AT THE BACK OF THIS HANDBOOK. The form is also available in the school offices, the eRegistration site and the district website at www.dbqschools.org/forms.)