**Notice of Rights under FERPA**

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 consent to disclosures of personally identifiable information contained 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 School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); 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, medical consultant, or 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 educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-5920

**Notice for Directory Information**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the Freeland Community School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Freeland Community School 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 Freeland Community School 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.

If you do not want the Freeland Community School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing. The Freeland Community School District has designated the following information as directory information (Board Policy 8330):

a student's name; address; participation in officially recognized

activities and sports; height and weight, if a member of an athletic team; date of graduation; dates of attendance, awards received; honor rolls; scholarships; telephone numbers for inclusion in school or PTO directories; school photographs or videos of students participating in school activities, events, or programs

The Board designates school-assigned e-mail accounts as "directory information" for the limited purpose of facilitating students’ registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes and for inclusion in internal e-mail address books. School-assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider and internal users of the District's Education Technology.

Parents and eligible students may refuse to allow the District to disclose any or all of such "directory information" upon written notification to the District.

**Access to Student Records**

**Family Educational Rights and Privacy Act of 1974**

**Board of Education Policy - 8330**

All parents and guardians of students under 18 years of age, and all students 18 years of age or over have the right, pursuant to the Family Educational Rights and privacy Act of 1974, to examine the official records, files and data of the school district directly relating to the student. They also have the right to challenge any of the contents of said records to insure their accuracy and fairness. Procedures for such examination and challenge, including hearings on a challenge, shall be established by the Board of Education and be made available upon request. Parents or guardians of students under 18 years of age, or students 18 years of age or over, have the right to submit a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student’s directory information to be accessible to official recruiting representatives, then the officials of the school shall not allow that access to the student’s directory information. Per Board Policy 8330 on Armed Forces Recruiting, public notice shall be given regarding the right to refuse disclosure of any or all “directory information, including to the armed forces of the United States and the service academies of the armed forces of the United States.

No records, files, or data directly relating to an individual student shall be made available to anyone without the consent and notification of the student or the parents or guardian of a student under 18, except (1) the teacher and officials of this school district who have a legitimate educational interest in such information; or unless (2) there has been a federal request for submission of such student records in connection with the student’s application for financial aid. The student or parent will be notified if officials of a school to which a student intends to enroll desires access to student records, or if a court has ordered access to such records. For other investigation of student records, parental or student consent is needed.

**Armed Forces Recruiting**

The Board of Education shall, in accordance with State and Federal law, provide at least the same access to the high school campus and to student directory information (names, addresses, and telephone listings of secondary students) of the students enrolled in the high school as is provided to other entities offering educational or employment opportunities to official recruiting representatives of all of the following for the purpose of informing students of educational and career opportunities available in the armed forces of the United States and the service academies of the armed forces of the United States. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student’s directory information to be accessible to official recruiting representatives, then the officials of the school shall not allow that access to the student’s directory information. The Board shall ensure that students and parents and guardians are notified of the provisions of the opportunity to deny release of directory information. The Military Recruiters Opt-Out form can be downloaded from the District’s website. Access the tab District Documents, and then choose High School to download the form.

**Canine Searches**

We would like to announce that we have again contracted with a company to perform canine searches of the schools and parking lots during the upcoming school year. These searches will be unannounced. The purpose of this service is to provide a deterrent to students who might be inclined to bring in illegal or banned substances to school. The detection dogs are trained to sniff out alcohol, illegal drugs and gun powder. School disciplinary policies and procedures will be followed should any contraband be found. The dogs sometimes detect substances and items that are legal but contain illegal substances in them. For example, the dog will detect any emergence road flares contained in a vehicle because they contain gun powder. In these instances no disciplinary actions are taken.

The focus of the search will be student lockers and all cars parked in the school lots. The school retains authority to conduct routine patrols and inspections of lockers, parking areas and cars. The interiors of student vehicles may be inspected whenever a school authority, police personnel, private organizations or canines have reasonable grounds to believe that illegal or unauthorized materials are contained inside. Please refer to the search and seizure guidelines in the middle school and high school handbooks for additional information. Please be reminded that it is against state law to have weapons of any kind on school grounds. Hunters should take special care to check their vehicles to make sure that there are no hunting ammunition or guns in their trunks.

It is the intent of the FCSD to do everything possible to keep our schools safe and drug free. Employing the canine inspection service is just one more way to demonstrate to students that drugs and weapons will not be tolerated in our schools and community. It is my hope that parents will use this opportunity to express to their students a personal stand against substance abuse of any kind.

**Asbestos Management Plan Available for Review by**

**Parents and Employees**

Several years ago our school district conducted an extensive asbestos survey of all our buildings. Based on the findings of this inspection, a comprehensive management plan was drafted. This plan details the response actions the district has taken regarding asbestos containing material found in our buildings. This plan is available for inspection at our offices without cost or restriction during normal business hours. If you desire to have a personal copy of our management plan for asbestos, please notify the Freeland Community School District Administration Office in writing and it will be supplied to you within five (5) working days at the actual copying cost. We have endeavored to make our schools a safe place in which students can learn. Our procedures for dealing with this problem reflect that concern.

**Tobacco-Free Schools Act**

All public school districts, including the Freeland Community School District, will be tobacco-free as of September 1, 1993, as mandated by Public Act 140 of 1993. This law was enacted to protect children, school employees, and visitors from the dangerous effects of secondhand smoke.

The Tobacco-Free Schools Act bans the use of tobacco products - AT ALL TIMES - in all buildings owned or operated by school districts.

This law is to be enforced by local police departments, and infractions carry a fine of $50.00.

The Environmental Protection Agency has classified secondhand smoke as a Group A carcinogen. Tobacco smoke is now considered as lethal as asbestos, benzene, and radon gas. Further, chewing tobacco and snuff are more addictive than smoking and contain higher amounts of nicotine. Additionally, “chew” and snuff are known to cause various types of cancer.

Thus, eliminating the use of tobacco products by persons on school property is expected to do the following: provide a healthier environment in which children can learn, limit the possibility of seeing adults smoke or chew - adults who may be their role models, and promote healthier behaviors.

**Individuals with Disabilities Education Act**

Under the Individuals with Disabilities Act (IDEA), school districts must give parents of a child with disabilities a copy of procedural safeguards one year at a time. A copy of the procedural safeguards must also be given to parents upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing, and upon request of a parent. A copy of the procedural safeguards is posted on the district’s website.

**Notification of Rights Under the Protection**

**of Pupil Rights Amendment (PPRA)**

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

The Freeland Community School 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 Freeland Community School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The Freeland Community School 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 Freeland Community School 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. 20202-5901

**RIGHTS OF STUDENTS IN**

**HOMELESS SITUATIONS**

The McKinney-Vento Homeless Assistance Act (Subtitle B of Title VII (42 USC)—Education for Homeless Children and Youth), ensures educational rights and protections for children and youth experiencing homelessness. This brief summary introduces the basic concepts in the legislation.

The McKinney-Vento Act protects the educational rights of students experiencing homelessness. It provides grants and legal protections so children and youth in homeless situations can enroll in, attend, and succeed in school and preschool programs. The Act defines homelessness very broadly, as quoted.

**Students in homeless situations have the right to:**

• Go to school, no matter where they live or how long they have lived there.

• Get help enrolling and succeeding in school from the school district’s liaison for the Education of Homeless Children and Youth. Every school district must have a liaison, and the school district’s central office can put families and youth in touch with the liaison. Liaisons have a special responsibility to help youth who are on their own.

• Stay in the school they went to before becoming homeless or whatever school they were enrolled in last (called “school of origin”), even if they move out of the district, if that is feasible. Students can stay in their school of origin the entire time they are homeless. Students can also finish the school year in their school if they find permanent housing during the year.

• Get transportation to their school of origin, provided or arranged by the school district, or a joint effort among school districts.

• Go to the local school in the area where they are living. The school must immediately let students enroll, attend classes, and participate fully in school activities, even if students do not have a parent or guardian with them or documents such as proof of residency, immunization records, other medical records, school records, or other documents. Once students are enrolled, the school must get records from the last school, and the liaison must help students get immunizations or immunization and medical records.

• Get a written explanation from the school district if the district refuses to send students to the school they choose, and have the liaison settle such disagreements.

• Have disagreements settled quickly and go to the school they choose while disagreements are settled.

• Get preschool services, free or reduced school meals, services for English language learners, special education, Title I services, vocational/technical education, gifted and talented services, and before- and after-school care, as needed.

• Go to school with children who are not homeless. Students cannot be separated from the regular school program because they are homeless.

• Get information and referrals from liaisons, including information about all available educational programs and how parents can participate, public notice about their rights, and referrals to health, mental health, dental, and other services.

• Have the opportunity to meet the same high academic achievement standards as all students.

If a state or local school district has laws or policies that conflict with the McKinney-Vento Act, the Act overrules those laws or policies. If a school does not follow the McKinney-Vento Act’s requirements, you should:

• Call your local homeless liaison or State Coordinator for the Education of Homeless Children and Youth.

• Call the U.S. Department of Education’s Education of Homeless Children and Youth Program at (202) 401-0113.

• Call for legal assistance. To find legal aid groups in your area, log on to the following web sites, or call your state bar association.

www.lsc.gov/about/grantee\_links.php

**Local Area Contact:**

Peter Duley, 989-695-5371, duleyp@freelandschools.net

**State Coordinator:**

Ms. Pam Kies-Lowe - 517-241-1162

**Rights of Parents to Request Staff Qualifications**

In compliance with the requirements of the Every Students Succeeds Act (ESSA), the Freeland Community School District would like to inform you that you may request information about the professional qualifications of your child’s teacher(s) and/ or paraprofessional(s). The following information may be requested:

* Whether the student’s teacher:
  + has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  + is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
  + is teaching in the field of discipline of the certification of the teacher.
* Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you wish to request this information concerning your child’s teacher and/ or paraprofessional, please contact Superintendent Matt Cairy at 989.695.5527 or at [cairym@freelandschools.net](mailto:cairym@freelandschools.net).