

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT AS WELL AS 9528 OF THE ESEA

The May-Port CG School District has designated certain information contained in education records of its students as directory information for purposes of the Family Educational Rights and Privacy Act (FERPA) as well as 9528 of the ESEA, as amended by the *No Child Left Behind Act of 2001*.

The following information regarding students is considered directory information: Name, Address, Electronic mail address, Telephone number, Date and place of birth, Participation in officially recognized activities and sports, Weight and height of members of athletic teams, Degrees, Honors and awards received, Photographs and videotapes, Dates of attendance, Grade and School.

Directory information may be disclosed by the school district for any purpose in its discretion, without the consent of a parent(s), /guardian(s) of a student or an eligible student. Parents of students and eligible students have the right, however, to refuse to permit the designation of any or all of the above information as directory information. In that case, this information will not be disclosed except with consent of a parent(s)/guardian(s) or student, or as otherwise allowed by FERPA.

Any parent(s)/guardian(s) or student refusing to have any or all of the designated directory information disclosed must file written notification to this effect with the building principal within 30 days of the beginning of the school term or within 30 days of the enrollment date for families new to the district. Forms for this purpose are available at the building principal's office.

In the event a refusal is not filed by the above-noted date, the school district will assume that neither a parent(s)/guardian(s) of a student or eligible student objects to the release of the directory information designated above.

NON-DISCRIMINATION STATEMENT

YOU ARE HEREBY NOTIFIED that the May-Port CG School District does not discriminate on the basis of sex, race, color, national origin, handicap or age in the educational programs or activities which it operates, and that it is required by Title VI, Title IX, Section 504 not to discriminate in such manner. This requirement not to discriminate extends to educational programs and activities, as well as to employment therein.

YOU ARE FURTHER NOTIFIED that inquiries concerning the application of Title VI and Title IX of this Part may be referred to the High School Principal, who has been designated as the person responsible for coordinating the efforts of the MPCG Public Schools to comply with and carry out its responsibilities under Title VI and Title IX and this Part, including any investigation of complaints alleging noncompliance. Inquiries concerning the application of Section 504 of this Part may be referred to the Counselor, who has been designated as the person responsible for coordinating efforts of the MPCG Public Schools to comply with and carry out its responsibilities under Section 504 and this Part, including any investigation of complaints alleging noncompliance. The office address and telephone number of the coordinator is as follows: *May-Port CG School District 900 Main Street West, Mayville, ND 58257 (701)788-2281*

NOTIFICATION OF RIGHTS

Each year parents and students need to be reminded of the student records policy of the May-Port CG School District. Parents of students or 18-year-old students who wish to review any or all of the school records pertaining to the student should contact the building principal for an appointment. The records will be reviewed with school personnel, and parents may have copies of the records for the cost of copying. If parents or adult students believe something in the records is inaccurate or misleading, they may request that it be corrected or they may have comments added to the record. If the principal and the parent or adult student cannot agree, the superintendent may be contacted for a hearing.

Record information will not be released to most persons or agencies without the written consent of parents. Nonetheless, it is the policy of this district to forward school records, without parent consent, to schools in another district to which a student transfers. This is to facilitate the prompt placement of the student in the new school. However, parents may request a copy of the record. Similarly, without parent consent, the district forwards transcripts, or other information requested by high school students, to colleges and other educational institutions to which the students are applying.

For a complete copy of the district's student record policy, contact your school principal. Students who have questions or concerns about the student record policy may direct them to the building principal, the superintendent or the U.S. Office of Education.

Also, federal law permits a school district to identify certain information as “directory information” which may be publicly released without permission of the parents. May-Port CG Public Schools identifies this information as the following: name, address, telephone number, date and place of birth, major field of study, participation in activities and sports, weight and height of members of athletic teams, dates of attendance diplomas and awards received and most recent previous school attended. We believe that it is in the student’s best interest to have such information released in school and community newspapers because of the recognition it gives them. We make every reasonable effort to protect our students’ privacy. For example, it is our policy not to release information to businesses for commercial purposes or to individuals without good reason. Therefore, most parents do not restrict the release of directory information.

Procedure for Complaints

It is the goal of the district to resolve the problems at the lowest appropriate level. Parents and school personnel should work together as a team to provide the best educational program for children.

If a parent has a concern about a teacher’s judgment of a student’s work or behavior, a simple procedure can be followed to keep the line of communication open. First, a parent should talk to the teacher involved. If a satisfactory solution is not reached, the parent should confer with the building principal. If the concern remains unresolved, then the parent should confer with the Superintendent of Schools. Parents should use the adopted written complaint procedure.

Finally, if the complaint remains unresolved, the parent may appeal to the Board of Education. The parent should notify the Superintendent or the business manager in order to be placed on the board’s agenda.

SEXUAL HARASSMENT

Sexual harassment is recognized as a form of sex discrimination and is thus a violation of the laws, which prohibit sex discrimination. Under the Equal Employment Opportunity Commission (EEOC) guidelines, which the school district follows, an employer is held accountable if supervisory employees harass a person, whether or not the employer is aware of the harassment or acts promptly to remedy the situation. If a person is harassed by fellow workers or by non-employees the employer is held accountable if the employer knows or should have known of the harassment and fails to take immediate and appropriate corrective action. A learning and working environment that is free from sexual harassment will be maintained in the May-Port CG School District. It will be a violation of policy for any member of the district staff to harass another staff member or student, or for students to harass other students, through conduct or communication of a sexual nature as defined by this policy.

Administrators and supervisors will make it clear to their staff and students that sexual harassment is prohibited by Board policy and is grounds for disciplinary action. Administrators will use staff meetings, in-service sessions and student assemblies to inform employees and students of their rights and remedies under the law.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when (1) submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education, advancement or grade, (2) submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment or education, or (3) such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education or creating intimidating, hostile, or offensive employment or education environment.

Sexual harassment, as defined above, may include, but is not limited to:

1. Sexually oriented verbal "kidding," abuse, or harassment;
2. Pressure (subtle or otherwise) for sexual activity;
3. Repeated remarks to a person, with sexual or demeaning implications;
4. Unwelcome touching, such as patting, pinching, or constant brushing against another's body;
5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status, or similar personal concerns.

Any person who believes he or she has been the victim of sexual harassment by any employee or student of the school district or any third person with knowledge or belief of conduct, which may constitute sexual harassment, should report the alleged acts immediately to the appropriate school district official as designated by Policy AAC. If the official designated is the person alleged to have sexually harassed another, the complaint may be made to any other administrator or directly to the board president. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status or affect future employment, work assignments, or grades. The right to

confidentiality, both of the complainant and of the accused, will be respected consistent with the school district's legal obligations and with the necessity to investigate allegations or harassment and to take disciplinary action when this conduct has occurred. A substantiated charge against a school district staff member will subject such member to disciplinary action, which may include discharge. A substantiated charge against a student in the school district will subject that student to disciplinary action, which may include suspension or expulsion, consistent with student disciplinary policies. Notice of this policy will be circulated to all district schools and departments and incorporated in teacher and student handbooks.

Legal Ref: 1964 Civil Rights Act, Title VII 1972 Educational Amendments, Title IX 45 CFR Part 86 Regulations
Compliance Officer: Superintendent Paula Pederson

Unstated Policy

It is impossible to list every acceptable and unacceptable behavior for students in schools. The school administration reserves the right to determine acceptability of student behavior and to make decisions and administer appropriate disciplinary action when necessary.