

## The Bellevue School District's Official Notices – 2011-2012

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

The Family Educational Rights and Privacy Act (FERPA) affords parents and adult students (aged 18 and over) certain rights with respect to student records. All rights accorded to parents under FERPA are accorded to both parents (with or without custody), a legal guardian, and an individual acting as a parent in the absence of a parent or guardian, unless the school 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. These rights are:

- 1) The right to inspect and review the student's education records within 45 days from the day a request for access is received. A parent or adult student should submit to the school principal a written request that identifies the records he or she wishes to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Inspection and review shall be conducted during normal working hours. Records may be copied for the parent/adult student at his/her expense.
- 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. A parent or eligible student should write the school principal, clearly identify the part of the record he or she wants changed, and specify why it is inaccurate. If the principal decides not to amend the record as requested by the parent or eligible student, the principal will notify the parent or eligible student of the decision and advise him or her of the 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. Disclosure without consent is permitted to school officials with legitimate educational interests. A school official has a legitimate educational interest if there is a need to review an education record in order to fulfill his or her professional/employment responsibility. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the School Board; a person or entity with whom the District has contracted to perform a special task (such as an attorney, auditor, medical/educational consultant or therapist); or a parent or student serving in an official District capacity, such as on a disciplinary or grievance committee, or assisting another school official/agent in performing his or her tasks. Upon request, the District forwards education records without consent to officials of another school district, private school, or institution of post-secondary education in which a student seeks or intends to enroll or is enrolled. Schools are authorized to release student information without consent pursuant to a court order or a legally issued subpoena.

FERPA permits a school district to identify certain information as "directory information," which may be released publicly without the permission of the parents or the student. FERPA grants parents and eligible students the right to notify school authorities that directory information is not to be released. This request may be made on the student registration form or in writing to the school principal.

The Bellevue School District identifies directory information for students as the following: the student's name, home address, email address, home and cell phone numbers, date and place of birth, major field of study, participation in officially recognized activities and sports, dates of attendance, grade level, photographs, diplomas and awards received, honor roll, graduate status, schools attended, weight and height of members of athletic teams, parent email addresses, and other similar information that would not generally be considered harmful or an invasion of privacy if disclosed. In the Bellevue School District, directory information may be released for purposes such as a student directory, mailing lists for parent groups that are organized in affiliation with and support of schools (e.g., PTSA or the Bellevue Schools Foundation), school yearbooks and newspapers, commencement programs and honor rolls, and reporting about athletic events and other school curricular and extracurricular activities.

Student lists containing directory information will not be released for commercial purposes or to non-school-affiliated individuals or organizations with the following exception: Upon a request made by a military recruiter or an institution of higher education, the Bellevue School District will provide access to secondary school students' names, addresses, and telephone numbers. However, a secondary school student or the student's parent may notify the District that such information is not to be released to a military recruiter or an institution of higher education without prior written parental consent.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures to comply with the requirements of FERPA: Complaints may be sent to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-8520.

In accordance with the Bellevue School District's Student Records Procedure, 4250.1, the District will keep such records concerning each student as deemed necessary to provide school programs to meet the student's needs and will permanently maintain certain student records. Other records maintained by the school will be destroyed according to schedules established in District policies and procedures and according to state requirements. Personally identifiable information collected, maintained, or used in compliance with IDEA or WAC 392-172A will be destroyed six years after a student separates from the District's special education program, unless the District is advised to the contrary by the parent(s) or eligible student.

Questions concerning parents' rights with regard to their children's education records may be directed to the principal or to the General Counsel's Office, at 425-456-4074. If parents have a primary language other than English, the District will notify them of their rights under this section. A copy of the District's Student Records Policy and Procedure may be obtained online -- [www.bsd405.org/](http://www.bsd405.org/) -- or by calling 425-456-4068. In accordance with Washington's Public Records Act, Chapter 42.56 RCW, parents have the right to request public records, including public records relating to school employee discipline. Requests for disclosure of public records should be directed to the District's Public Records Officer, at 425-456-4068.

#### **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents and students who are 18 or emancipated minors ("eligible students") certain rights regarding student surveys, the 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 –
  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.

Questions concerning parents' and eligible students' rights with regard to the PPRA may be directed to Chris Lindberg, at 425-456-4225. Parents and eligible students 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. 20202-5920.

### **Student and Staff Rights and Responsibilities**

In compliance with Washington Administrative Code 392-400-225, this is to notify parents that a complete copy of "Student, Teacher, and Administrative Rights and Responsibilities" is available upon request from the principal of each school in the District or on the District's website at [www.bsd405.org/SRR](http://www.bsd405.org/SRR). This document includes the following:

1. Washington Administrative Code prescribing the substantive and procedural due process rights of students in the public schools. Topics included are student responsibilities and duties, student rights, discipline procedures, short-term suspension procedures, long-term suspension procedures, expulsion procedures, and appeals procedures.
2. Bellevue School District policies on student rights and responsibilities, student government, freedom of expression, inspection of students' person and property, student conduct, attendance, use of tobacco, drugs and alcohol, use of motor vehicles on high school campuses, readmission procedures after suspension or expulsion, adjusting student grievances and corporal punishment.
3. Rights and responsibilities of teachers and principals, as prescribed by state laws and regulations, including flag ceremonies, student attendance, establishment and enforcement of rules regarding student conduct and rights, treatment of children and teachers, disturbances on school premises, disclosure of examination questions, injury to school property, intimidation of teachers or students, trespassing on school grounds, health and safety of students, work hours, student records, preparation of teachers, transportation rules, school safety patrols, and special education or behaviorally disabled students.
4. The District's policies prohibiting sexual harassment between or among employees, students, and volunteers, and prohibiting harassment, bullying, and intimidation of students, employees, and others involved in school district activities.

### **Notice of Non-Discrimination**

Employment applicants, students, parents, employees, sources of referral for applicants for employment and all groups having collective bargaining or professional agreements with the Bellevue School District are notified that this District is committed to providing equal opportunities for all persons without regard to race, color, religion, national origin, disability, age, marital status, sex, sexual orientation, or other extraneous factors. There is a grievance and appeal procedure for complaints regarding any perceived discrimination. Any person having inquiries concerning the District's compliance with federal, state, or District requirements regarding non-discrimination, or any person seeking information as to the existence or location of programs and activities that are accessible to and usable by disabled persons within the Bellevue School District, may contact Ricardo Cruz, Title IX/RCW 28A.640 Officer, at 425-456-4074, and Patty Siegwarth, Section 504/ADA Coordinator, at 425-456-4156. Members of the public with disabilities who have specific concerns about the effectiveness of the District's communications to them should contact Jacqueline Coe, Director of Communications and Community Engagement, at 425-456-4000. The District's mailing address is P.O. Box 90010, Bellevue, Washington 98009-9010.

### **Childfind**

In compliance with Washington Administrative Code 392-172A-02040, this is to notify parents whose children live or attend school within the Bellevue School District boundaries of Childfind. Childfind activities are conducted in order to locate, evaluate and identify students with a suspected disability, regardless of the severity of the disability, who reside or attend school within the District boundaries. If you have a child from BIRTH THROUGH AGE FIVE who lives within the District and has trouble with talking, walking, seeing, hearing, or following directions, he/she may be eligible for special education services through the Bellevue School District. If you would like more information about these programs and a free screening, call 425-456-4149.

If you have a student from KINDERGARTEN THROUGH AGE 21 who has difficulty with academic skills or a suspected disability, call the counselor at your local school or call 425-456-4149 for more information about support and programs available.

## **Complaint Resolution**

Any citizen who has a concern about any aspect of the school program is encouraged to make that concern known using the following procedures. These procedures are to be followed in all cases except those for which specific communication patterns have been established. In cases of this sort (e.g., placement and program decisions for special education students) the specific procedure should be followed and it is the responsibility of the District staff to inform patrons about these specific procedures.

1. Contact the school employee closest to the source of the concern, express the concern, either orally or in writing, and ask for a response.
2. If the response does not satisfy the concerned citizen, an appeal should be made, either orally or in writing, to the immediate supervisor of the employee with whom contact was initially made.
3. If the concern has not been resolved below the area director's level, the matter should be referred to the area director's office either orally, by appointment, or in writing.
4. At the discretion of the concerned citizen, any matter that has not been resolved at the area director's level may be brought to the attention of the School Board.

## **Pesticide Notification**

The Bellevue School District, in accordance with state law, is providing written annual notification to parents or guardians and employees describing the District's pest control policies and methods. It is the policy of this school district that the health and safety of students and staff shall be of primary concern when pesticides are used to control weeds, molds, moss, fungus, rodents, insects and other unwanted pests. Who Applies Pesticides?: Pesticide applications will be made by trained District employees or commercial pest control applicators. District employees will obtain appropriate licenses as necessary.

### Notification Procedure

The District will provide notification at least 48 hours before applying a pesticide if school will be in session within 48 hours of the application. This notification will be posted in a prominent place in the main office of the school/site. Contact the Bellevue School District Maintenance Department by calling 425-456-4511, or by going to the Bellevue School District web site: [www.bsd405.org](http://www.bsd405.org) and register under the District Email Notifications to be notified when the school your student attends is scheduled for an application.

The pre-notification at a minimum shall state: "Notice: Pesticide Application" and include the product name of the pesticide to be applied, the intended date and time of application, the location to which the pesticide is to be applied, the pest to be controlled, and the name and phone number of a contact person at the District. An application to a District property must be made within 48 hours following the intended date and time stated in the notification or the notification process will be repeated. Pre-notification is not required if the school facility application is made when students do not occupy the school for at least two consecutive days after the application. The pre-notification requirements do not apply to any emergency school facility application for control of any pest that poses an immediate human health or safety threat, e.g., an application to control stinging insects. When an emergency school facility application is made, notification consistent with the District's notification system shall occur as soon as possible after the application. Pre-notification is not required for application of antimicrobial pesticides or the placement of insect or rodent baits that are not accessible to children.

## **Asbestos Notification**

The Bellevue School District is providing written annual notification that the District has an asbestos management plan for each school building that sets forth the procedures for controlling building materials that contain asbestos. If you would like more information about the District's plan, you may contact the Bellevue School District Maintenance Department by calling 425-456-4511, or by writing to Bellevue School District, Asbestos Management Plan, Facilities and Maintenance Services, P.O. Box 90010, Bellevue, WA 98009-9010.

## **Lead in Drinking Water Sample Results**

The Bellevue School District is providing notification that the District has performed water testing for each school building and has a program for reducing lead exposure from drinking water as necessary. If you would like more information about the District's testing results or program, you may contact the Bellevue School District's Facilities and Maintenance Services by calling 425-456-4510, or by writing to the Bellevue School District, Facilities and Maintenance Services, P.O. Box 90010, Bellevue, WA 98009-9010.