

# Policy Review Committee

May 6, 2013, 2:30 PM

Seward High Library, Seward High School

## AGENDA

### Approval of notes from Policy Meeting of April 1, 2013

### Review of Policies for Updating

- *BP 5138 Student Possessions & Use of Personal Electronic Devices, Including Cellular Phones (NEW) . . . 2*
  - This is a new policy for KPBSD, based on the AASB policy.
  
- *AR 5125 Student Records. . . . . page 6, but only change is on page 9*
  - Edited by AASB to reflect that parents and eligible students may not opt out of a district's annual reporting to DEED of each graduating student's eligibility for the Alaska Performance Scholarship.
  - This change also impacts the *E 5125(b) Notification of Rights Under FERPA* which is also being brought forward in the information packet of this meeting
  
- *BP and AR 3541.1 School Related Trips/AR 6153 School Sponsored Trips. . . . . 19*
  - Modified to clarify that students shall not be transported in any 9-15 passenger van due to safety concerns. Only 8-passenger (or less) mini vans are acceptable.

## **NEW POLICY FOR KPBSD**

### **Students**

BP 5138(a)

### **STUDENT POSSESSION & USE OF PERSONAL ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES**

The School Board recognizes that many students possess and use cell phones and other personal electronic devices. These devices serve an important purpose in facilitating communication between the student and his or her family, as well as serving as tools to access electronic information. In the school setting, personal electronic devices are permitted so long as their use is consistent with this policy and does not interfere with the educational process or with safety and security.

*(cf. 5030 – School Discipline and Safety)*

### **Educational Uses**

In certain instances, there is educational value in utilizing personal electronic devices in classrooms when such devices aid in extending, enhancing, and/or reinforcing the students' learning process related to the instructional objectives of the class. Approval for student use of such devices will be at the discretion of the classroom teacher, upon approval of the instructional use by the building administrator.

Use of personal electronic devices will be permitted if provided for in a student's Individualized Education Program (IEP) or Section 504 plan.

*(cf. 6159 – Individualized Education Program)*

If use of a personal electronic device is required in individual instances (not provided for in an IEP or 504 plan) to assist a student with the student's education, or in emergencies, permission must be obtained in writing from a building administrator prior to use of the personal electronic device at any time when such use would otherwise be prohibited by this policy.

### **Conditions of Use**

Students may possess and use personal electronic devices including, but not limited to, cell phones, laptops, tablets, music players, etc., subject to limitations of this and other policies of the District and under the following conditions.

Personal electronic devices shall not be turned on or used in any way:

- during instructional time, unless under the direct supervision of the classroom teacher
- during other school sponsored and supervised group activities during the school day (for example, student assemblies, awards, or other public ceremonies, etc.)
- when their use is otherwise prohibited by school personnel

**STUDENT POSSESSION & USE OF PERSONAL ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES** (continued)

Instructional time includes the entire period of a scheduled class and other time when students are directed to report to and participate in any instructional activity. The principal may establish, and school personnel may enforce, additional guidelines limiting or prohibiting the possession and use of personal electronic devices as appropriate to campus needs.

Note: The following optional paragraph reflects the guidelines used by the Anchorage School District to specify permitted uses based on grade level. It may be revised or deleted as appropriate.

High school students may use cellular phones and other personal electronic devices before and after school and during the student's lunch period. Elementary and middle school students (grades K-8) may use such devices only before and after school. Additionally, no student may use a cellular phone or personal electronic device in a manner, or at a time, that interferes with or is disruptive of other students' instructional time.

During school and school sponsored activities, students will comply with this policy and with administrative and staff member directives regarding use. Students are required to turn cell phones and other personal electronic devices over to school personnel when requested. Students who refuse to do so are subject to disciplinary action.

A cellular phone or personal electronic device that has been confiscated by the District and not turned over to law enforcement will be released/returned to the parent/guardian when no longer necessary for investigation or disciplinary proceedings. As appropriate, the cellular phone or personal electronic device may be returned directly to the student.

The District assumes no responsibility for loss or damage to personal property of students, including cell phones and other personal electronic devices, whether in the possession of students or if confiscated by school personnel pursuant to this policy.

**Prohibited Conduct**

Possession of a cellular telephone, or other personal electronic device, by students is a privilege. This privilege will be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of the device so as to violate the law or any other school or District rule. In addition to those conduct rules set forth elsewhere, the following actions are strictly prohibited and may result in disciplinary action:

- Accessing and/or viewing an Internet site that is otherwise blocked to students at school.
- Sending an e-mail, text message or other communication that harasses, intimidates, threatens, bullies, or discriminates against another individual.

**STUDENT POSSESSION & USE OF PERSONAL ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES** (continued)

- Taking, sending, downloading or uploading a harassing, threatening, or inappropriate photograph of anyone.
- Using a camera in a restroom, dressing room, or locker room, or taking a photo of any person without permission.
- Using a camera or other recording device to record or capture the content of tests, assessments, homework, or class work without express prior permission from the instructor.
- Hacking or intentionally obtaining, accessing, or modifying files, passwords, or data belonging to others.

*(cf. 5131 – Conduct)*  
*(cf. 5131.4 – Campus Disturbances)*  
*(cf. 5131.41 – Violent and Aggressive Conduct)*  
*(cf. 5131.43 – Harassment, Intimidation and Bullying)*  
*(cf. 5131.9 – Academic Honesty)*  
*(cf. 5137 – Positive School Climate)*  
*(cf. 5144 Discipline)*  
*(cf. 6161.4 – Acceptable Use Policy/Internet Safety Policy)*

**Searches**

The contents of a cellular phone, camera, or other personal electronic device may be searched to determine ownership, to identify emergency contacts, or upon reasonable suspicion that a school or District rule or the law has been violated.

*(cf. 5145.12 – Search and Seizure)*

**STUDENT RECORDS**

**Definitions**

1. Education Records

"Education records" consists of all official records, files and data directly related to a student that are maintained by the District or by a party acting for the District. A student's education record encompasses all the material incorporated in the student's cumulative record folder and includes, but is not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), daily attendance data, scores on standardized intelligence, aptitude and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings, and written observations, and discipline data, including suspensions or expulsions. Student records shall be the property of the District, with access by others as set forth in this regulation.

2. Exclusions From the Term "Education Records"

The following documents are not "education records":

- a. Aggregated data that does not contain "personally identifiable information about a specific student.
- b. Personal files notes, or records maintained by staff members or professional consultants, that are kept in their possession, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute. Such files or personal notes regarding students shall constitute the personal property of the person compiling the file.
- c. Records of the District's law enforcement unit.
- d. An employment record made and maintained in the normal course of business that relates exclusively to an individual in his or her capacity as an employee. However, records relating to a student who is employed as a result of his or her student's status are education records.

**STUDENT RECORDS** (continued)

- e. Records of a student age 18 or older that are made or maintained by a physician or mental health professional that are utilized for treatment of the student and are disclosed only to individuals providing treatment. "Treatment" for this provision does not include remedial educational activities that are part of the District's instructional program.
- f. Records created or received by the District after the student no longer attends that are not directly related to the individual's attendance as a student.
- g. Grades on peer-graded papers before they are collected and recorded by a teacher.
- h. Personal knowledge or observation of a school official. A school official is not prohibited from disclosing information about a student if the information is obtained through the school official's personal knowledge or observation and not from the student's education records.

3. Personally Identifiable Information

"Personally identifiable information" includes, but is not limited to: the name of a student, the student's parent, or other family member; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; indirect identifiers such as a student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student and that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes to know the identity of the student to whom the record relates.

"Biometric record" as used above means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. These include fingerprints, eye patterns, voiceprints, DNA, facial characteristics, and handwriting.

**STUDENT RECORDS** (continued)

4. Directory Information

"Directory information" means information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, student's name, address, telephone listing, electronic mail address, photograph, 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, grade level, enrollment status, degrees and awards or honors received, scholarship eligibility and the most recent school attended by the student.

Directory information does not include a student's social security number or student identification number if the student identifier can be used to gain access to education records. A student identifier can be listed as directory information if the identifier must be used in conjunction with one or more factors that authenticate the student's identity, such as a PIN or password.

5. Parents

"Parents" means a natural parent, an adoptive parent, foster parent, legal guardian, or an individual acting as a parent in the absence of a parent or guardian, or in the case of a student receiving special education or related, a person acting as the parent of a child or a surrogate parent appointed in accordance with state regulations. Either or both parents have access to a student's records, even if a separation or divorce has occurred, unless the parental rights of a parent have been legally terminated through adoption or other legal process; or unless a decree of divorce, separation, or other court order specifically prohibits parental access to school information or records.

6. Eligible Student

"Eligible student" means a student who has attained eighteen years of age, is an emancipated minor, or is attending an institution of post-secondary education.

**STUDENT RECORDS** (continued)

7. School Official

A “school official” is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff); a person serving on the School Board; law enforcement unit personnel as defined in this regulation; a person or company with whom the District has contracted to perform a special task (such as attorney, auditor, medical consultant, or therapist); a contractor, consultant or other outside party to whom the District has outsourced services or functions that it would otherwise use employees to perform, provided that the outside party is under the direct control of the District with respect to use and maintenance of education records and subject to the same conditions governing use and disclosure of those records, 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.

8. Law Enforcement Unit Personnel

“Law enforcement unit personnel” are individuals employed, contracted, or permitted to monitor safety and security in and around the schools. Law enforcement unit personnel are responsible for referring potential or alleged violations of law to local law enforcement. The District’s law enforcement unit includes the following individuals: [school resource officers; safety and security staff; principal; etc.].

9. Education Program

“Education Program” means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

**Annual Notice**

The Superintendent shall notify parents and eligible students of the rights accorded them under this policy. Annually, the Superintendent shall provide to parents and eligible students a notice which informs them of the following rights:

- to inspect and review their student’s education records, and the procedures for doing so;
- to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student’s privacy rights, and the procedures for doing so;



## **STUDENT RECORDS** (continued)

- to consent to disclosure of personally identifiable information except where law authorizes disclosure without consent; and
- to file a complaint in accordance with 34 CFR Section 99.63 and 99.64. (See Compliant Procedure at end of AR 5125.)

The annual notice shall also provide the following information:

- that the District discloses student records without consent to school officials with a legitimate educational interest, and explanation of who constitutes a school officials, and what constitutes a legitimate educational interest;
- that the District forwards records to other school districts or post-secondary institutions that have requested the records and where the student attends or is seeking to enroll; and
- the name and address of the official responsible for the records and the current fee for copies of records.

Finally, the annual notice will explain that the District discloses information about student eligibility for certain Alaska programs, ~~unless the parent objects~~. The notice will identify the programs and explain ~~how whether~~ a parent or eligible student may opt out of the following disclosures and if so, how to do so:

- the University of Alaska scholarship programs;
- the Alaska Performance Scholarship Program; and
- the Alaska Challenge Youth Academy operated by the Department of Military and Veterans' Affairs.

In addition, the District will maintain for public inspection a list of the names and positions of those employees who routinely have access to student records specifically collected or maintained in conjunction with the provision of services to children with disabilities. Upon request, the District shall provide a parent of a student receiving special education or related services a list of the type and location of records collected, maintained and used by the District in conjunction with the provision of such services.

### **Custody and Protection of Student Records**

#### 1. Place Records are Kept

Student records will generally be maintained in the cumulative record folders in the administrative offices of the District. With the consent of the Superintendent, a portion of student records may be kept in other places for reasons of effective school administration, such as data collected and maintained in physical education, vocational, health or special education locations.

**STUDENT RECORDS** (continued)

2. Custodian of Records

Student records in each place where they are maintained shall be under the control of a custodian appointed by the Superintendent. The custodian shall be responsible for carrying out this regulation with respect to the records under his/her control. The custodian shall use reasonable physical, technological, or procedural controls to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

3. Record of Access to Student Records

Each individual student cumulative record folder, and each student record maintained separately from the folder, shall contain as a part thereof a written form indicating of each request for, and each disclosure of, personally identifiable information. The record of access shall include

- a. the identity of the person reviewing the record and the person's official capacity;
- b. the specific record examined or requested;
- c. the legitimate interest that the person had in requesting or obtaining the information;
- d. the date of examination or request;
- e. if the District discloses personally identifiable information from a student record with the understanding that the information will be redisclosed on behalf of the District, then the names of the additional parties to which the receiving party may disclose the information and the legitimate interest which each additional party has in requesting or obtaining the information;
- f. if the District discloses personally identifiable information from education records to state or federal authorities for purposes of audit or evaluation, then the identity of the party and the fact that redisclosures may be made. The state or federal educational authorities must record any further disclosures made, in lieu of the District recording those disclosures. The District will obtain the records of redisclosure from the state or federal authority upon request of a parent or eligible student; and

**STUDENT RECORDS** (continued)

- g. if disclosure is pursuant to a health or safety emergency, then the identity of individual requesting or receiving the information and a description of the articulable and significant threat to the safety of the student or others.

A record of access does not have to be kept for requests by, or disclosure to, the following individuals:

- a. parents of the student or an eligible student; or
- b. school officials and employees with a legitimate educational interest; or
- c. those authorized to obtain disclosure by written consent of a parent or eligible student, unless the disclosure pertains to records of a student receiving special education or related services;
- d. those who request directory information, unless the disclosure pertains to records of a student receiving special education or related services; or
- e. the Attorney General of the United States, or designee, when disclosure is pursuant to an ex parte order in connection with the investigation or prosecution of terrorism crimes.

**Destruction of Records**

1. The District is not precluded from destroying any records, if not otherwise precluded by law, except that access shall be granted prior to the destruction of the education records where the parent or eligible student has requested such access.
2. In the case of records pertaining to students receiving special education or related services that are no longer needed by the District to comply with state or federal law or regulations, the District shall make reasonable efforts to notify the parent and offer the parent a copy of the record. Such records shall be destroyed upon request of the parent.
3. Records pertaining to the name, address, telephone number, grades, attendance, classes attended, grade level completed, and year completed of a student who has received special education or related services must be maintained indefinitely.

**STUDENT RECORDS** (continued)

**Access by Parents or Eligible Students**

A parent of a student who is under the age of eighteen (18) years and who has attended or is currently enrolled in the District, has a right to inspect and review his or her student's records or any part thereof. This right of access does not apply to the child's address if the Superintendent determines that release of the address poses a threat to the health or safety of the child.

An eligible student has a right to inspect and review his or her student record or any part thereof. Parents' rights under this policy transfer to the eligible student, the District may disclose records of the student to the parent without the student's consent in the following instances:

1. If the student is a dependent of either parent for federal income tax purposes; or
2. In connection with a health or safety emergency.

The right of access specified in this section shall include:

1. The right to inspect and review the content of student records;
2. The right to obtain copies of those records, which shall be at the expense of the parent or the eligible student (but not to exceed the actual cost to the District of producing such copies);
3. The right to a response from the District to reasonable requests for explanations and interpretations of those records; and
4. The right to an opportunity for a hearing to challenge the content of those records.

Parents or eligible students desiring to review student records shall present a written request to the office of the Superintendent. The request shall specify the specific records which the person wishes to inspect. In the event the District cannot determine the exact records to which access is sought, the District shall immediately contact the requesting person by letter or otherwise to determine the desired scope of records to be inspected.

Such inspection shall be made during reasonable business hours determined by mutual agreement between the District and the requesting person, but in no event shall access be withheld more than forty-five (45) days after the written request has been made. However, the District must respond to requests by a parent of a student receiving special education or related services within ten (10) days of the request and, in any case, before any meeting or hearing in which the parent may participate relating to the identification, placement, or program of the student.

**STUDENT RECORDS** (continued)

Where the records requested include information concerning more than one student, the parent or eligible student shall be permitted to review only that part of the record pertaining to his child or his record, or where this cannot reasonably be done, the parent or eligible student shall be informed of the contents of that part of the record pertaining to his child.

**Access Without Parental Consent**

The District shall not permit access to or the release of student records or the personally identifiable information contained therein without the consent of a parent or eligible student, except that access without consent to student records, other than records containing personally identifiable information specifically collected or maintained in conjunction with the provision of special education or related services to, shall be permitted to those persons or under those circumstances listed below:

1. School officials within the District who have a legitimate educational interest in having access to the records. 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.
2. Officials of other districts, schools, state operated correspondence programs or post-secondary institutions in which the student seeks to enroll, or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer. It is the policy of the District to forward student records to the entities or programs listed in this subsection without notifying the parent or eligible student. The District shall forward these records within 10 days after receiving a request. Notification of this practice will be provided to parents and students in the annual notification.

Missing Children: As required by state law, the District shall flag the school records of a child who is missing. Upon receipt of a request from another school or district for a record that has been flagged, the District shall immediately notify the Department of Public Safety. Unless directed to do so by the Department, the District may not forward a copy of flagged records.

3. Upon their request, military recruiters and institutions of higher learning shall have access to secondary students' names, addresses, and telephone listings, unless an objection is made by the student's parent or guardian. Parents/guardians shall be notified of their right to make this objection.

**STUDENT RECORDS** (continued)

4. Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education and Early Development of the State of Alaska; if the information provided in connection with an audit or evaluation of federal or state supported educational programs.

Information may not be disclosed under this subsection unless the District has entered into a written agreement with the organization: 1) designating the individual or entity as an authorized representative; 2) specifying the personally identifiable information from education records to be disclosed; 3) specifying that the purpose for which the personal information is being disclosed is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or to comply with federal legal requirements that relate to those programs; 4) describing the activity with sufficient specificity to make clear that it falls within the audit or evaluation exception, including a description of how the personal information from education records will be used; 5) requiring the authorized representative to destroy the personal information from education records when the information is no longer needed for the purpose specified; 6) specifying the time period in which the information must be destroyed; and 7) establishing policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personal information from education records from further disclosure (except back to the disclosing entity) and unauthorized use, including limiting use of personally identifiable information from education records to only authorized representatives with legitimate interests in an audit, evaluation, or enforcement or compliance activity.

5. In compliance with a judicial order or pursuant to any lawfully issued subpoena. However, the District shall make a reasonable effort to give the parent or eligible student notice of all such orders or subpoenas as soon as reasonably possible after they are received, and in advance of production of the records, so that the parents or eligible student may seek protective action. Prior notice will not be given in cases of a federal grand jury subpoena or order where the court has ordered that the existence or contents of the subpoena not be disclosed. In addition, prior notice will not be given if a court or other issuing agency issues a subpoena for a law enforcement purpose and orders the school not to disclose the existence or contents of the subpoena.

**STUDENT RECORDS** (continued)

6. Where the disclosure is in connection with financial aid conditioned on the student's attendance at an educational institution. Such disclosure will be made provided that the student has actually applied for or received the aid and the information disclosed is necessary to (a) determine eligibility for the aid, (b) determine the amount of the aid, (c) determine the conditions for the aid or (d) enforce the terms and conditions of the aid.
7. The disclosure is to organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of (a) developing, validating or administering predictive tests, (b) administering student aid programs, or (c) improving instruction. Information may not be disclosed under this subsection unless the District has entered into a written agreement with the organization: 1) specifying the purpose, scope, and duration of the study and the information to be disclosed; 2) restricting the use of personally identifiable information only to purposes of the study as defined in the agreement; 3) assuring that the study will be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information; and (4) providing that the information will be destroyed or returned to the District when no longer for the study, and specifying the time period for destruction or return. Nothing in this section requires the District to initiate a study, or agree with or endorse the conclusions or results of the study.
8. The disclosure is to accrediting organizations carrying out their accrediting functions.
9. Information may be disclosed in connection with a health and safety emergency subject to the conditions described below.
10. Directory information may be released subject to the conditions described in BP 5125.1.

*(cf. 5125.1 - Release of Directory Information)*

**STUDENT RECORDS** (continued)

**Transfer of Information to Third Parties**

1. The District shall not release personal information concerning a student except on the condition that the party to which the information is being transferred will not permit any other party to have access to such information without the prior written consent of the parent or eligible student. The District shall include with any information released to a party a written statement which informs the party of this requirement.
2. The District may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures on behalf of the district without the consent of the parent or eligible student if (a) these further disclosures meet the requirements for access without consent; and (b) the District maintains a record of third parties granted access and the legitimate interest of such parties.

**Cooperation with Juvenile Justice System**

The School District will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The School District will enter into an interagency agreement with the juvenile justice agency (“agencies”) involved.

The purpose of the agreement is to allow for the sharing of information prior to a student’s adjudication in order to promote and collaborate between the District and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, and reduce in-school and out-of-school suspensions. This cooperation will enhance alternatives such as structured and well supervised educational programs, supplemented by coordinated and appropriate services, designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

The School District may share any information with the agencies contained in a student’s permanent record, which is directly related to the juvenile justice system’s ability to effectively serve the student. Prior to adjudication, information contained in the permanent record may be disclosed by the School District to parties without parental consent or court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs to the student or student’s family or coordinating the delivery of programs and services to the student or student’s family.



**STUDENT RECORDS** (continued)

Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or custodian.

Confidential information shared between the School District and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law.

**Records Pertaining to Children with Disabilities**

Personally identifiable information in those student records specifically collected or maintained in conjunction with the provision of special education or related services may not be released without the written consent of a parent unless the disclosure is to:

1. A school official as defined above.
2. An official of a school or school system in which the student intends to enroll, provided, however, that a parent must be notified of any such disclosure, offered a copy of the record, and notified of his or her right to request amendment of the record.
3. A representative of the Federal Comptroller General, U.S. Department of Education, or Alaska Department of Education and Early Development.

**Access with Consent**

The contents of a student's record may be furnished to any person with the written consent of one of the student's parents. The written consent should specify the records to be released, the reasons for the release, and to whom the records will be released. Where the consent of a parent is required for the release of student records, a copy of the records to be released shall be provided on request to the student's parents or the eligible student, and to the student who is not an eligible student if so requested by the student's parents.

If a parent refuses to consent to release of a student record specifically collected or maintained in conjunction with the provision of special education or related services, the District may initiate a hearing pursuant to the provisions of 4 AAC Section 52.550.

**STUDENT RECORDS** (continued)

**Release of Information for Health and Safety Emergencies**

The District may release information from records to appropriate persons, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other persons. The District will take into account the totality of the circumstances, based on the information available at the time, to determine if there is an articulable and significant threat to the health or safety of a student or others.

The District may include in a student’s records information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. Under the “health and safety emergency” exception, the District may disclose this information to teachers and school officials of the district, or to teachers and school officials of other districts, if those individuals have a legitimate educational interest in the behavior of the student.

**Complaint Procedure**

A parent or eligible student may file a written complaint with the national Family Policy Compliance Office regarding an alleged violation of federal laws governing the administration of student records. These laws include the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, and its regulations found at 34 CFR Part 99. A complaint must be filed within 180 days of the date of the alleged violation, or of the date the parent or eligible student knew or reasonably should have known of the alleged violation. Complaints should be filed with:

Family Policy Compliance Office  
U.S. Department of Education  
Washington, D.C. 20202-8520  
(202) 260-5920

**SCHOOL-RELATED TRIPS**

**Trips by School Vehicles**

Besides taking students to and from school, the Superintendent may approve transportation for field trips and school-sponsored activities. The Superintendent shall regulate the use of the District transportation for approved school-related activities. Student councils, parent-teacher associations, and any other organizations requesting transportation shall be fully responsible for the costs of the trip. To the extent that funding has been approved by the Superintendent, such costs may be charged to the District.

**Transportation by Private Automobile or Vans**

The Superintendent may authorize the transportation of students by private automobile for approved field trips and activities. Due to safety concerns, students may not be transported in a 9 to 15-passenger van for any reason. This includes vans that are privately-owned or rented. Eight-passenger (or less) mini vans are allowed. Whenever students are being transported in any motorized vehicle *E3541.1(a) School Driver Registration Form* should be completed. Additionally, *E3541.1(b) Private Vehicle Transport Safety Check* needs to be completed for student transport by any privately owned vehicle.

**Trips Involving Students as Passengers**

Drivers shall be an adult age twenty-one (21) or older, registered with the District, possess a valid driver's license and liability insurance of at least \$100,000 per occurrence.

Drivers shall be issued safety instructions and emergency information.

All student passengers shall provide permission slips signed by their parents/guardians.

Owners, drivers and passengers shall be informed that the registered owner and his/her insurance company are responsible for any accidents which may occur.

Transportation of students in vehicles operated by another student is prohibited.

In the event of an accident, regardless of damage or injury, the principal shall notify the Superintendent at the earliest possible time.

**SCHOOL-RELATED TRIPS** (continued)

**Trips Involving a Student as Driver**

Driver shall be required to possess a valid driver's license and liability insurance as required by state law.

Driver shall provide permission slip signed by parents/guardians.

Driver shall be issued safety instructions and emergency information.

Driver shall be informed that the registered owner and his/her insurance company are responsible for any accidents which may occur.

Transportation of students in vehicles operated by another student is prohibited.

In the event of an accident, regardless of damage or injury, the principal shall notify the Superintendent at the earliest possible time.

*(cf. 6153 – School-sponsored Trips)*

**SCHOOL-RELATED TRIPS**

**Trips by School Vehicles**

Activity vehicles/vans will be in compliance with state laws and District regulation. Per BP 3541.1, no 9 to 15-passenger vans are allowed. 8 passenger (or less) mini vans are allowed.

**Drivers**

1. Drivers shall be at least twenty-one (21) years old and possess a valid appropriate driver's license.
2. Drivers shall follow all state traffic laws including a required ten (10) minute rest stop every two hours.
3. Drivers will conduct a pre and post trip safety and maintenance check of vehicles, including an operating check of tire pressure, turn signals, brakes, mirrors, windshield wipers, lights, oil level, oil pressure, fan belts, and gas tank.
4. Drivers must be free from the effects of alcohol, drugs and medications that may impair driving ability when operating activity vehicles.

**Activity Vehicles**

1. Activity vehicles shall have the following equipment on board:
  - a. Free standing reflectors
  - b. Five pound fire extinguisher
  - c. First aid kit
  - d. Tire chains
  - e. Tow straps
  - f. Emergency procedures guide
2. Activity vehicles shall not be loaded beyond their capacity.
3. Each school shall be responsible for regular vehicle maintenance and upkeep. A trip log and a maintenance log shall be kept for each activity vehicle.

**Trips**

Trip plans, including designated overnight stops, must have prior approval from the principal. The principal shall be notified of any deviation from the trip plan.

**Business and Instructional Support Operations**

AR 3541.1(b)

**SCHOOL-RELATED TRIPS** (Continued)

These requirements are considered minimum and principals may add requirements depending on the time of year and road conditions.

**SCHOOL-SPONSORED TRIPS**

**General Guidelines**

These guidelines are considered minimum requirements, and the principal and Superintendent may add additional requirements depending on the nature, location and extent of the proposed field trip and the age, nature and experience of the sponsors, staff, students and operators.

**Guidelines**

Carefully planned field trips that are directly related to adopted curriculum are permitted, subject to the following guidelines:

1. Students must be supervised by a certified District teacher or other person approved by District administration.
2. All participants in the field trip must be either current students in KPBSD, KPBSD employees, or adults subject to the chaperone/volunteer requirements. Children who are not part of the group participating in the trip may not accompany parents when the parents serve as chaperones.
3. This trip must have educational value related to approved curricula.
4. Student safety shall be protected.
5. No student shall be required to attend a school-sponsored trip that is not part of the curriculum. School programs for students not traveling must continue at the level expected if the trip did not occur.
6. Student time out of other instructional programs shall be kept to a minimum. Students traveling must maintain their overall educational program and are responsible for making up assigned work in classes missed.
7. Student costs shall be kept to a minimum. Students are responsible for their own costs. Schools may provide financial options to ensure maximum participation by all interested and qualified students, regardless of their economic circumstance.
8. No student may be denied participation, for financial reasons, in a school-sponsored field trip that is integral to the curriculum and the instructional program.

**SCHOOL-SPONSORED TRIPS** (continued)

9. Students shall be expected to follow conduct rules that apply in school or during school-related activities. Students who violate these rules during a field trip are subject to regular discipline, including, but not limited to being sent home with a chaperone, if required, at parent expense.
10. Whenever practical, chaperones accompanying students on trips that involve overnight travel shall be of the same sex as the students participating.
11. Permission slips related to the specific trip and signed by the parent(s) or guardian(s) shall be secured prior to any field trip travel.
12. Appropriate District-approved waivers of liability (*E 6153(f) Student Indemnification Statement Waiver of Liability*), signed by the parent(s) or guardian(s), shall be secured prior to any field trip travel.
13. All school sponsored trips must be approved in advance, as set forth in *E 6153(d) Verification of Field Trip Information* (all field trips) and *E 6153(a) Preliminary Field Trip Preparation for Extended Out-of-State or International Field Trips*. Principals shall verify the quality of field trip preparations, plans, educational relevance, fund raising and sponsors.
14. Parties denied approval for a trip may appeal that decision to the Superintendent. Denial by the Superintendent may be appealed to the Board.
15. Administrators have the authority to exclude the participation of students whose documented behavioral history suggests the possibility that they may endanger themselves or others; or cause a substantial disruption while on a field trip. However, due consideration must be given to SECTION 504 and Individuals with Disabilities Education Act (IDEA) where applicable.
16. Pursuant to Section 504 and Americans with Disabilities Act (ADA), students with disabilities shall not be excluded from field trips because of transportation arrangements.

*(cf. 3541.1-Transportation: School-Related Trips)*

*(cf. 1321—Solicitation of Funds from and by Students)*

In advance of study trips, teachers shall determine educational objectives which relate directly to the curriculum. Principals shall ensure that teachers develop plans which provide for the best use of students' learning time while on the trip. Teachers also shall provide appropriate instruction before and after the trips.



## **Waiver of District Liability**

Students and their families are expected to have adequate health insurance to cover the costs of accidents or injuries that may occur during field trips. Each participating student must submit a waiver of liability signed by the parent(s) or guardian(s) (*E 6153(f) Student Indemnification Statement Waiver of Liability*). Each participating chaperone or parent volunteer must sign a waiver of liability (*E 6153(h) Volunteer Indemnification Statement Waiver of Liability*). These waivers must be reviewed and approved by the principal and secured and on file in the school office prior to the trip.

## **Scheduling Travel for Days When School Is Not in Session**

Extended field trips over which the school has scheduling control are to be planned for days school is not in session. Extended trips should be scheduled after regular school hours, on weekends, or during vacations. Unique travel circumstances that extend the trip into school days will be reviewed and approved by the principal on an individual basis prior to submission to the Superintendent for approval.

## **Chaperones**

1. During all extended field trips, chaperones of the same sex must accompany students. An exception to this provision must have the approval of the Superintendent.
2. A proposal for the number of chaperones and funding sources for classroom substitutes must be submitted with the field trip request. For extended field trips, a recommended ratio is one chaperone to every eight students.
3. School employees must have approval from their building administrator to chaperone field trips if they will be absent from their assignment.
4. Chaperones will be informed in writing of the drug-free workplace regulations which govern all District-sponsored activities. Chaperones are expected to refrain from using tobacco and consuming alcoholic beverages or illegal drugs while on the extended field trip.
5. Chaperones must stay with the group for the duration of the trip from departure through return. Exceptions may be made by the Superintendent.
6. Non-employee chaperones are required to undergo a criminal background check.

## **Instruction**

AR 6153(c)

### **SCHOOL-SPONSORED TRIPS** (continued)

#### **Trips Not Sponsored by District**

When a trip involves both a school-sponsored element and an adjoining community element, staff members are permitted to coordinate these joint ventures with the use of appropriate school time and equipment.

#### **Field Trips of One Day or Less**

Field trips lasting one day or less are the responsibility of the principal and staff who will establish and use procedures to plan, conduct and evaluate field trips consistent with adopted curriculum.

#### **Extended Field Trips (In-State)**

Field trips lasting two or more days and involving overnight accommodations are the responsibility of the principal and staff.

Cocurricular in-state activities trips that comply with established schedules shall conform to the guidelines in the applicable activities handbook, and a list of such trips shall be filed by the coach, athletic director, advisor or sponsor with the principal and the executive secretary of the Kenai Peninsula Schools Activities Association.

Extended field trips planned during the school year for days when school is not in session shall be subject to the conditions listed above.

#### **Extended Field Trips (Out-of-State or International)**

Field trips involving travel and accommodations for out-of-state sports, activities and educational activities are the responsibility of the local administrator and staff subject to approval by the Superintendent.

The purchasing department must be involved to assist in planning and vendor selection. As a result, requests for out-of-state or international trips involve substantial advance planning. Requests shall be forwarded to the Superintendent on the District field trip form (*E 6153a Preliminary Field Trip Preparation*) for pre-approval prior to formal planning or fundraising. This preliminary approval must be obtained when plans are initiated or within the timeframes listed below, whichever comes first:

- a minimum of 10 months prior to the planned excursion for out-of-state trips,
- a minimum of 18 months prior to the planned excursion for international trips.

## **Instruction**

AR 6153(d)

### **SCHOOL-SPONSORED TRIPS** (continued)

The Superintendent may approve requests for field trips outside of these timelines for unique circumstances that may arise.

Once vendor selection has been determined, E 6153(b) *Due Dates for Required Documents* will be provided to the trip organizer for compliance. Documentation for these trips will be forwarded to the Superintendent on the District field trip forms E 6153(c) *KPBSD Field Trip Information Form*, E 6153(d) *Verification of Field Trip Information*, and E 6153(e) *KPBSD Field Trip Questionnaire* with appropriate attachments within the advised timelines.

### **Required Information to Be Submitted for Extended Out-of-State or International Field Trip Approval**

The following information requirements must be satisfied when District students are traveling out-of-state or internationally.

### **Medical Coverage and Medical Training for Out-of-State or International Field Trips**

In addition to the conditions listed for all extended field trips, the following conditions also apply when travel is out-of-state or international:

1. Evidence of individual student medical insurance coverage must be presented by the student's parent/guardian to the principal prior to travel for all out-of-state or international travel. (A list of medical insurance providers will be made available for those without private family or individual coverage. This coverage will not be paid at District expense.)
2. The need for a chaperone with medical emergency training will be determined by the Superintendent prior to approval.

### **Field Trips by Van and Automobile**

Due to safety concerns, students may not be transported in a 9 to 15-passenger van for any reason. ~~8-passenger (or less) mini vans are allowed.~~ This includes vans that are privately-owned or rented. ~~Eight-passenger (or less) vans are allowed.~~—Whenever students are being transported in any motorized vehicle E3541.1(a) *School Driver Registration Form* should be completed. Additionally, E3541.1(b) *Private Vehicle Transport Safety Check* needs to be completed for student transport by any privately owned vehicle.

(cf 3541.1 *School Related Trips*)

**SCHOOL-SPONSORED TRIPS** (continued)**Field Trips by Boat and Plane**

Field trips that employ a boat or plane must adhere to at least the following minimal guidelines. The principal and Superintendent may add additional requirements depending on the nature, location and extent of the proposed field trip and the age, nature and experience of the sponsors, staff, students and operators.

**For Trips by Private Marine Vessels**

1. The Superintendent may authorize the transportation of students by private, noncommercial vessels for approved field trips and activities provided the following conditions are met.
  - A. For motorized vessels, the vessel is operated by an adult, age 21 or older, who can demonstrate competence to operate the vessel. This competence may be demonstrated by the operator:
    - (1) Providing a copy of the appropriate commercial or charter license for the intended waters and vessel type to be used, or
    - (2) Providing documentation that the operator successfully passed a marine/boat/water safety course approved by the Superintendent as appropriate for the field trip to be taken.
  - B. In the case of non-motorized boat trips, when practical, a motorized vessel or boat operated by a qualified adult, age 21 or older, is available to respond in the event of an accident or incident.
  - C. The vessel is registered with the State of Alaska or issued a Certificate of Documentation by the U.S. Coast Guard, and when motorized, must be in compliance with the Courtesy Vessel Safety Check by the U.S. Coast Guard Auxiliary within 90 days of the time of travel.
  - D. Students traveling on an open boat shall wear appropriate flotation devices while onboard the vessel in compliance with U.S. Coast Guard regulations.
  - E. All student passengers provide a permission slip and waiver of liability signed by their parent(s) or guardian(s) (*Form E 6153(f) Student Indemnification Statement Waiver of Liability*).

**SCHOOL-SPONSORED TRIPS** (continued)

- F. The owner, operators and passengers have been informed that the registered owner of the vessel is responsible for any accidents which may occur.
- 2. Trip plans, including name of vessel operator, location and itinerary of trip, type and identification of vessel, must have prior approval from the Superintendent. The Superintendent must be notified of any deviation from the approved itinerary or trip plan.

**For Trips by Commercial Marine Vessels**

- 1. When traveling on a commercial or charter vessel, students must be transported by a U.S. Coast Guard approved vessel. U.S. Coast Guard approval must be for the number of commercial passengers carried on the vessel.
- 2. The captain of the vessel used to transport students must be certified by the U.S. Coast Guard to operate a commercial vessel. The captain must be certified for operating the size and type of vessel required. A copy of the vessel operator's license must be on file in the school.
- 3. All School District students, staff and chaperones must be provided with U.S. Coast Guard approved survival equipment while on the vessel. Students traveling in an open boat shall wear appropriate flotation devices while underway.
- 4. The owners of the commercial vessel used for the transportation of students and District staff must have the vessel insured with minimum liability of \$1,000,000 as well as the District named as an additional insured. A copy of the insurance certificate must be provided to Risk Management in advance of the trip and also be on file in the school.
- 5. All commercial boats used while abroad must meet international nautical standards.

**Field Trips by Aircraft**

Field trips that use aircraft must adhere to the following guidelines in addition to those found elsewhere in this manual.

**SCHOOL-SPONSORED TRIPS** (continued)

1. Students must be transported by a Federal Aviation Administration approved aircraft. Approval must be for the number of commercial passengers for which the aircraft is certified. Students may be transported on commercially operated aircraft only.
2. The pilot must have a Commercial Pilot's Certificate issued by the Federal Aviation Administration. Additionally, the pilot must be certified in the type of aircraft being used to transport students, staff and chaperones.
3. All School District students, staff and chaperones must observe and follow all safety procedures dictated by the air carrier.
4. All commercial aircraft used while abroad must meet international aviation standards.
5. The owners of the large commercial airlines used for the transportation of students, staff and chaperones must have the aircraft insured with minimum liability of \$1,000,000. The owners of small aircraft carriers/charter carriers shall have a minimum liability of \$150,000. For small carriers, a copy of the insurance certificate must be provided to Risk Management in advance of the trip and must also be on file at the school.

**District-Hosted Visitors**

Official visits of one week or less by guests from other nations may be approved by the principal. Official visits of more than one week must be approved by the Superintendent.

The following information requirements must be satisfied when District schools are hosting visitors from abroad for an extended stay of more than one week. This information must be submitted to the Superintendent by the site administrator hosting the visitors at least 30 days prior, or when plans are arranged, whichever comes first, to granting approval or finalizing plans for the visit:

1. What are the anticipated dates of visitation from a school located in another country?
2. Who is the District certified employee in charge of this activity?
3. From what country will the visitors be coming?
4. What is the purpose of hosting this international visitation?

**SCHOOL-SPONSORED TRIPS** (continued)

5. How many students will be traveling to the District?
6. What is the age group of the students traveling to the District?
7. What is the intended itinerary for travel?
8. Where will the students be housed during their visitation to the District? A listing of specific parents who have agreed to host the visitors to our District must be provided.
9. Have certificates of insurance regarding health and accident insurance coverage for travelers been secured? (Provide appropriate evidence of insurance.)
10. What are the points of arrival and departure?
11. What arrangements have been made to assure safe passage to the point of disembarkation from the District?
12. Who is providing this information?

*Legal Reference:*

**UNITED STATES CODE**

*20 U.S.C. §§ 1400, et seq. Individuals with Disabilities Education Act*

*29 U.S.C., 794, Section 504, Rehabilitation Act of 1973*