

Kenai Peninsula Borough School District

Policy Review Committee

May 7, 2012
1:30 pm – 2:30 pm

Room 101, Seward High School

AGENDA

Approval of notes from Policy Meeting of April 2, 2012

Review of Policies for Updating

- *AR 6161.4 Acceptable Use Policy/Internet Safety Policy*
 - This entire AR has been revised to meet the requirements of the Children’s Internet Protection Act (as a condition of receiving technology funds under E-rate.
 - We are required as of July 1, 2012 to have this revised policy in place which includes monitoring the online activities of minors when using district computers and networks, educating minors about appropriate online behavior, and cyberbullying awareness and response.
 - Due to the July 1 deadline. We request to move this through both the worksession and for approval at the June 7 Board meeting.

AR 6161.4 with revisions incorporated (for your ease in reading) Page 5

AR 6161.4 with revision edits shown (red is edited; green is moved) Page 16

- *BP and AR 5022 Parent/Student Handbook* Page 36

This is a new number only. This formerly was BP 5040 which has now been assigned to Student Nutrition by AASB. We are changing our numbering to correspond with AASB numbering system.

- *BP and AR 5125 Student Records* Page 38

Revised by AASB to include

- the categories of scholarship eligibility for the purpose of U of A and Alaska Performance scholarships
- a definition of “education program”
- a requirement for a data sharing agreement to cover disclosures without consent.

- *BP 5125.1 Release of Directory Information* Page 57

Revised by AASB to include

- FERPA regulations to limit disclosure of directory information to certain parties for certain purposes.
- Scholarship eligibility added as a category.
- Updated legal references

- *BP 5125.2 Challenging Student Records* Page 63

Revised by AASB to include

- Updated legal references

- *BP, AR and E 5128 Alaska Performance Scholarship Program – NEW POLICY, AR and E* Page 65

AASB has made revisions to their policy/AR/E. KPBSD does not currently have this policy/AR/E.

- *BP 6000 Concepts and Roles* Page 76

Revised by AASB to include

- Updated legal references

- *BP 6146.3 High School Graduation Qualifying Exam* Page 78

AASB has corrected a legal citation number.

The following revised exhibits have been put in your Information Packet:

E 3360a Travel Reimbursement and E 3360b Mileage Reimbursement

- District reimburses for mileages expenses at federally approved mileage rte. The GSA rate was increased to \$0.555 per mile effective April 17, 2012. This was previously \$0.51 per mile.

E 5125b Notification of Rights Under FERPA for Elementary and Secondary Schools Page 54

- Language has been added to the federal notice to comply with state laws regarding University of Alaska scholarship eligibility; disclosure of student’s eligibility for the Alaska Performance Scholarship Program; required annual notice of disclosure of student information for purposes of Alaska Challenge Youth Academy eligibility; and to be consistent with the model notice prepared by the Family Policy Compliance office of the US Department of Education.

E 5125.1a Directory Information Parent Opt-Out Form Page 60

- Added language regarding the disclosure to the State of Alaska or the University of Alaska for eligibility for scholarship programs.

E 5125.1b Directory Information Opt-Out Form Page 62

- Added two addition fields to opt-out form: 1) eligibility for University of Alaska scholarship programs, and 2) Alaska Challenge Youth Academy.

NOTE: Per BB 9313: “Exhibit pages are intended to be easily updated. They are provided as information items to Board members but are not subject to approval.”

Board Policy Review Committee Meeting Notes

Borough Building, Conference Room C

Meeting Notes

Date/Time: April 2, 2012, 1:15 PM

Members: Sunni Hilts - Present
Dave Jones – Present
Sarge Truesdell - Present
Lynn Hohl – Present
Marty Anderson - Absent
Steve Atwater – Present
Mari Auxier (Secretary) - Present

Guests:
Sean Dusek – Present
Tim Navarre - Present
Laurie Olson – Present
Doris Cannon - Present

Approval of Minutes: The minutes from February 6, 2012 meeting were approved with modifications.

Review of Policies

➤ *BP 5144.1 Suspension and Expulsion*

- At the recommendation of the Committee, this policy was edited to have a more positive perspective. Additionally, the policy now recommends other means of discipline prior to actual expulsion.
- The Committee recommended adding references to the Parent Student Handbook within this policy and vice versa.

➤ *BP 6190 Evaluation of Instructional Programs*

- The revision of this policy is based on the recommendation of the curriculum audit.
- It also speaks to all evaluation of instructional programs.
- Currently there are over 1,000 pieces of computer software used by the district. We do not have a current handle on how effective these programs are. In addition to reviewing currently existing programs, we would like to have a review before purchasing new programs.
- Recommendation to add “Provide recommendation” as the last bullet on BP 6190.

➤ *AR 6190 Evaluation of Instructional Programs*

- Recommendation to add “Determine course of action” to Phase IV.
- Clarification provided to committee on the timeline of this evaluation vs the curriculum development timeline and how they work together.
- There is no timeline defined. Ideally this would be June through beginning of school year; however, it could take up to a year and a half.

- Process for the acceptance of a new program:
 - Technological committee with both teachers and administrators to accept submissions, and to review to assure they meet district goals. This could be expedited, if needed. At times, this might be dependent on available resources.
- A website page could be developed on what has already been approved (and purchased).
 - We are currently looking through these and evaluating them.
 - We could have our own clearing house.
- *AR 6161.1 Selection of Instructional Materials*
 - Recommendation to add under Conflict of Interest that it would be the Superintendent's call.
- Ms. Hohl brought up that although the policy committee makes recommendations, it is the board, as a whole's, responsibility to actually review the scheduled sections on an annual basis. She suggests the committee make a recommendation to the Board which goes through a worksession and then on to approval by the Board in a meeting. Administration noted that policies with changes have been brought to the Board for review and approval. Policies with no change have not been brought forward for review or approval.

Meeting concluded at 1:55 PM

REVISIONS INCORPORATED IN AR 6161.4

AASB Note: INTERNET

Effective July 1, 2012, the Children's Internet Protection Act regulations require that a district's Internet safety policy to include monitoring the online activities of minors when using district computers or networks. This has been added to the policy. Further, the policy must also provide for educating minors about appropriate online behavior, including social networking, chat rooms, and cyberbullying. This requirement was previously contained in the policy, although an "Education" heading has been added. Districts that are not yet providing instruction on Internet safety should be cognizant of the July 1, 2012 deadline.

The Legal Reference section and explanatory notes have been updated as well.

The AR, Security of Internet System, contains a minor language change.

The Exhibit (previously entitled Internet Access Permission Letter to Parents) has been replaced with a revised Student Internet User Agreement. The User Agreement was developed by the Anchorage School District.

The policy changes will require formal Board adoption.

Note: The following policy should be used by all districts providing student access to the Internet and other computer networks. An Internet safety policy is required for schools receiving universal service discounts.

Note: The Children's Internet Protection Act requires school districts to adopt Internet safety policies as a condition of receiving technology funds under Title II, Part D of the No Child Left Behind Act (20 U.S.C. § 6751-6777) for the purpose of purchasing computers with Internet access or paying the direct costs associated with accessing the Internet. Additionally, districts must adopt an Internet safety policy to qualify for most federal universal service discounts (47 U.S.C. § 254).

The district's Internet safety policy must include a "technology protection measure" that blocks or filters Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to use by minors, harmful to minors. As part of the funding application process, the district must certify that the required policy is in place and that the district is enforcing the use of these technology protection measures. The filter may be disabled by an administrator, supervisor, or other authorized person for "bona fide research or other lawful purpose."

Effective July 1, 2012, the Internet safety policy must also include monitoring the online activities of minors when using district computers or networks. Further, the policy must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response.

As a condition of receiving universal service discounts, schools must also adopt and implement an Internet safety policy that addresses (1) access by minors to inappropriate matter on the Internet and World Wide Web; (2) safety and security of minors when using electronic mail, chat rooms, and other forms of electronic communication; (3) unauthorized access ("hacking") and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and (5) measures designed to restrict minors' access to harmful materials. Schools must hold at least one public hearing before adopting the policy. The types of materials considered inappropriate for minors will be determined by the local school board. Schools must make this policy available to the FCC upon request.

Instruction

ACCEPTABLE USE POLICY/INTERNET SAFETY POLICY

AR 6161.4 (a)

Terms and Conditions for Use

General Information

Purpose

The Kenai Peninsula Borough School District provides all students access to computers, networks, and the Internet as a means to enhance their education. It is the intent to promote the use of computers in a manner that is responsible, legal, ethical, and appropriate. The purpose of this policy is to assure that all users recognize the limitations that are imposed on their use of these resources. Our many varied stakeholders work within a shared environment where all must follow the rules of use so as not to let their actions infringe on the opportunity of others to accomplish their work.

Electronic Related Technologies

Kenai Peninsula Borough School District Electronic Network Related Technologies is an interconnected system of computers, terminals, servers, databases, routers, hubs, switches, video-conferencing equipment, and wireless devices. The District's network is an inherent part of how we do business.

Authorized Users

The District's computer network is intended for the use of authorized users only. This also applies to the District's Wi-Fi network. Authorized users include students, staff, and others with a legitimate educational purpose for access as determined by a Memorandum of Agreement with the District. Individual schools may grant guest access on a temporary basis, but only for bona-fide school-related business. Any person using the network, or using any devices attached to the network, agrees to abide by the terms and conditions set forth herein. This policy is referenced in the KPBSD Parent/Student Handbook.

Assumption of Risk

The District will make a good faith effort to keep the District network system in working order and its available information accurate. However, users acknowledge that there is no warranty or guarantee of any kind, either express or implied, regarding the accuracy, quality, or validity of any of the data or information residing on the District network or available from the Internet. The District has no ability to maintain such information and has no authority over these materials. For example, and without limitation, the District does not warrant that the District network will be error-free or free of computer viruses.

Indemnification

In making use of these resources, users agree to release the District from all claims of any kind, including claims for direct or indirect, incidental, or consequential damages of any nature, arising from any use or inability to use the network, and from any claim for negligence in connection with the operation of the District network. Use of District computers and/or the District network is at the risk of the user.

Ownership

Files, data, emails and any other information stored on District-owned equipment or produced while working for the District or while attending as a student, are the property of the District.

Personally-owned Electronic Devices

Schools not allowing students to bring personally-owned equipment to school are

- Marathon School.

Unless otherwise listed above, students may bring laptops, netbooks, smart phones, tablet computers, MP3 players, e-readers, etc. to school for their personal educational use. The user is responsible for assuring that personally-owned computers are ready for use with the District network. The District will not troubleshoot or provide technical support on personally-owned equipment. Bringing personally-owned equipment to school is absolutely done at the users own risk. The District is not responsible for theft or damage of personal property including loss of data.

Wireless access by a personally-owned laptop is allowed, but connecting to the physical network by plugging into a wall jack is never allowed.

Any electronic device falls under the authority of the Acceptable Use Policy if used on school grounds, regardless of whether they may or may not be wirelessly connected to the District network infrastructure. For example, texting or emailing inappropriate pictures to other students while on school property would be a violation of the Acceptable Use Policy even if only done using the user's personal cellular plan and using no District provided network services.

Software on Personally-Owned Devices

The District will not provide software for personally-owned computers. Schools may distribute software apps to iPads, iPods, iPhones, or potentially other personally-owned (non-computer) devices, for both students and staff, if done in accordance with District policies in place at that time.

iPods or MP3 players.

Only legally purchased music may be installed on a District-owned MP3 player or any district computer. It is the responsibility of the assigned iPod user to provide proof of ownership of all copyrighted music. The user must also backup their music as Information Services does not backup MP3 files nor check for MP3 files when imaging computers.

Access to Wi-Fi

Access to the wireless network by personally-owned computers, smart phones, or other devices is allowed by authorized users. The District must balance the needs to keep our network operational and protected from viruses or loss of service attacks with the educational advantages of a more open, inclusive network. With the wireless capability KPBSD has the ability to have an acceptable level of protection for our network and still allow computers into the wireless network. *Exhibit 6161.4(b) KPBSD Wireless Information* shows what service level can be expected from various computer operating systems. Most personally-owned computers or devices will connect to the wireless network; however, most will probably only connect at the Low-Speed Internet level. Network resources commonly taken for granted, like printer access, network file storage, and file backup are not available for the personally-owned devices.

Electronic Mail (Email)

The District provides one email address (@g.kpbsd.org) for grade 4-12 students (or lower grade at the request of the principal). The District does not filter email beyond the SPAM filtering done by Google for the District-provided Gmail email accounts. Google may also have rules for use beyond what is covered in this agreement. The District provides two email addresses for staff (Microsoft Exchange/Outlook @ kpbsd.k12.ak.us and Google-GMail @ g.kpbsd.org). Staff should use the Microsoft Exchange/Outlook @ kpbsd.k12.ak.us for all District communications.

SPAMMING, or the mass sending of email, from any District email accounts, for any purpose whatsoever, is strictly prohibited. Spammers often search out individuals and attempt to get people to divulge username or password information to allow the spammers to use an email account and our network to send out SPAM email. Spammers have been surprisingly successful enticing staff to divulge network login information. The District will never ask a user to disclose a username and password through an email. Any such request, regardless of how credible it may seem, is an attempt to hijack an account.

Blogs

The District also creates a personal web log or blog for each student and staff for educational use. The user must initially activate the blog. KPBSD blogs are only

indexed within the District, meaning they are not searchable from the Internet. However, if the URL address is shared, anyone on the Internet can view or contribute to the blog. When using blogs, users are expected to maintain the same level of civility as required on all communication covered by this policy. Post with respect, stick to the facts, and avoid unnecessary or unproductive arguments.

Websites

The school's website is limited to school-related materials and events. Students may create web pages as a part of a class activity. The District has the right to exercise final editorial authority over the content and/or style of user web pages created as part of a class activity.

Parental Request for Non-Participation by Students (Internet or Email Opt-Out)

Parents of minor students (under 18 years of age) may request that their student(s) not be allowed access to the Internet, or may opt out of District-provided Gmail email accounts by submitting *E 6161.4(a) Internet Access Non-Permission Form* to the office at the student's school. Such restriction, once signed, remains in force until rescinded by the parent or the legal aged student. This action also denies access to the District wireless network.

It should be noted that Gmail is part of the Google Apps online collaborative office productivity suite. Denying access to Gmail also denies access to Google Apps. Opting-out does not mean a student will not access email at school; it just means that the District will not provide the email address for the student to use. There are many free email sites on the Internet where anyone can get a free email account. Other free email sites are also not content filtered and may not filter SPAM.

Directory Information Parent Opt-Out Form

Parents of minor students (under 18 years of age) may request that the District not post their children's work, photographs or names on the Internet by completing and returning *E 5125.1(b) Directory Information Parent Opt-Out Form* to the school office.

Security

No illegal entry (hacking) or unethical attempt should ever be made to access any network, computer, or data belonging to someone else. Users should never log on with the network credentials of another person, but should only use the username and password supplied by the District for their exclusive use. Users should make every effort to keep all passwords supplied by the District for their exclusive use secure and private. Any activity undertaken for the purpose of hiding one's identity, to bypass the Internet filter, or to spread computer viruses is forbidden.

All users are to promptly report any security violations of the Acceptable Use Policy to the school principal. The principal should then report violations to the Information Services department.

Monitoring

Network activity is logged including websites visited by users. Email processed, delivered, or stored on District-owned equipment is owned by the District. Information Services commonly uses software to remotely access and control any District computer on the network with or without the user's permission, but only for a legitimate purpose. Remote access, where the user grants permission for access, has been given to some District-level support staff. Remote-access capability is commonly used to diagnose and quickly correct problems, or to train the remote staff member on some computer or software function.

Monitoring Staff Computer Usage

No member of KPBSD management has access to an employee's email accounts, web-browsing history, or data files. Information Services staff will provide such information to the Director, Human Resources, upon request.

Monitoring Student Computer Usage

School principals have access to student Gmail accounts and to the Internet browsing history of the students at their school. Some principals may assign a designee for that access responsibility, such as assistant principals, counselors, or secretaries. Information Services has access to the above items, and also has access to a student's data files and will provide any of this information to a school principal or their designee upon request. Information Services staff will on occasion search logs for security violations and will report violators to the appropriate school principal or in some cases may take independent action.

Software

The Kenai Peninsula Borough School District will not install computer software that we are not licensed to use. There are no exceptions. All computer software license agreements and proof of ownership are documented in the Information Services department. Software is installed by Information Services staff or through tools provided by them to key school personnel. No commercial computer software will be installed on District-owned computers by other staff or students. If teachers buy software and want the software loaded on District computers, they will have to donate the software and license to the District and provide proof of purchase.

Lawsuits

The District will not defend users against lawsuit for Acceptable Use Policy violations including music, software, or print copyright violations.

User Responsibilities

Users should be polite, kind, courteous, and respectful at all times. Users are expected to respect the property of others, including District property, and be responsible for using equipment appropriately, including using personally-owned equipment appropriately. It is the responsibility of all members of the school staff to appropriately supervise and monitor student usage to ensure compliance with this Acceptable Use Policy and the Children's Internet Protection Act.

Acceptable Uses

It may be helpful to correlate acceptable behavior in the school building to what is acceptable behavior online. In the school setting, treat others as you would like to be treated. Show respect and kindness to others.

The User Should:

1. Adhere to current Acceptable Use Policy guidelines each time the District network is used.
2. Immediately disclose an inadvertent access of inappropriate information to a teacher or the school principal.
3. Show proper consideration for topics that may be considered objectionable or inflammatory.
4. Keep everyone's personal information confidential, including addresses, telephone numbers, and pictures, etc.
5. Abide by all plagiarism, copyright and fair use laws, including print, music, and software copyright laws.
6. Make available for inspection by a principal, or upon request by a teacher, any messages or files sent or received by a student at any District Internet location. Staff should have a legitimate safety concern to invoke inspection.
7. Use technology for school-related purposes during the instructional day.
8. Report any cyberbullying against any student to the principal.
9. Use Internet related Chat (IRC) or other instant messaging appropriately. Always know the person you are messaging.

Unacceptable Uses

Do not use derogatory or inflammatory language that is generally considered offensive or threatening. Do not insult, bully, threaten, or personally attack people. Be on your best school behavior while online.

The User Should:

1. Not view or attempt to locate material in any format (electronic, printed, audio, or video) that is unacceptable in a school setting. This includes, but is not limited to, sexist or racist material, sexually explicit, pornographic, obscene, or vulgar images or language; graphically-violent music, music videos, screen savers, backdrops, and pictures. The criteria for acceptability

- is demonstrated in the types of material made available to students by principals, teachers, and the school media center.
2. Not download, upload, import or view files or websites that purport the use of illegal drugs, alcohol or illegal and/or violent behavior except when school-approved and teacher-supervised.
 3. Not use online social networks or any form of online publishing or online personal communication during the instructional day unless specifically allowed at school or under the direction of a teacher. Not stream non-educational music or video during the instructional day.
 4. Not invade the privacy of individuals, including the unauthorized disclosure, dissemination, or use of information, photographs, or videos.
 5. Not use for soliciting or distributing information with the intent to incite violence; cause personal harm or bodily injury; or to harass, bully, or “stalk” another individual.
 6. Not upload, post, email, transmit, create direct web links to, or otherwise make available any content that is inappropriate, unlawful, dangerous, or may cause a security risk.
 7. Not use for wagering, gambling, junk mail, chain letters, jokes, raffles, or fundraisers.
 8. Not use a USB storage device to launch software.
 9. Not use a District email account to express religious or political views. When expressing personal opinions a personal account is to be used.
 10. Not play games, including Internet-based games, during the instructional day, unless school-approved and teacher-supervised.
 11. Not use for financial gain or for the transaction of any personal business or commercial activities, including any personal purchase or sale activity that requires an exchange of money or use of a personal credit card number or for any product or service advertisement.
 12. Not waste school resources through improper or personal use of the computer system.
 13. Not deface or vandalize District-owned equipment in any way, or the equipment of another person in any way.
 14. Not violate of any provision of the Family Educational Rights and Privacy Act which makes confidential a student's educational records, including, but not limited to, a student's grades and test scores. Staff members are solely responsible to safeguard the confidentiality of student-related data on a personally-owned computer.

Sanctions

Internet access and email use is a privilege, not a right. A violation of the Acceptable Use Policy may result in termination of usage and/or appropriate discipline for both students and teachers. The Terms and Conditions shall be used in conjunction with the District's discipline policies (*AR 5144 Discipline*). Individual schools may choose to have additional rules and regulations pertaining to the use of networked resources in their respective buildings. Users may be denied access to the District network while an investigation is underway. If a user's access to the District network is suspended or revoked by network

administrators as a result of violations of this policy, the user may appeal the suspension in writing, to the Superintendent within ten (10) days. If a violator is removed from the District network, there shall be no obligation to provide a subsequent opportunity to access the network.

The Children’s Internet Protection Act (CIPA)

The Children’s Internet Protection Act was signed into law on December 21, 2000. To receive support for Internet access and internal connections services from the Universal Service Fund (USF), school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. The relevant authority with responsibility for administration of the eligible school or library must certify the status of its compliance for the purpose of CIPA in order to receive USF support.

In general, schools and library authorities must certify either that they have complied with the requirements of CIPA; that they are undertaking actions, including any necessary procurement procedures to comply with the requirements of CIPA; or that CIPA does not apply to them because they are receiving discounts for telecommunications services only.

CIPA requirements include the following three items:

1. Internet Safety Policy

Schools and libraries receiving universal service discounts are required to adopt and enforce an Internet safety policy that includes a technology protection measure that protects against access by adults and minors to visual depictions that are obscene, child pornography, or — with respect to use of computers with Internet access by minors — harmful to minors.

KPBSD Response: The Acceptable Use Policy/Internet Safety Policy addresses all required Internet Safety Policy issues.

Note: Effective July 1, 2012, the Children’s Internet Protection Act requires that a school district’s Internet safety policy provide for educating students about appropriate online behavior, including interacting with other individuals on social networking web sites and in chat rooms, as well as cyberbullying awareness and response.

For schools, the policy must also include monitoring the online activities of minors. Note: beginning July 1, 2012, when schools certify their compliance with CIPA, they will also be certifying that their Internet safety policies have been updated to provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness, and response.

KPBSD Response: Students will be provided age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, at a minimum, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

(cf. 5131.43 Harassment, Intimidation and Bullying)

2. Technology Protection Measure.

A technology protection measure is a specific technology that blocks or filters Internet access. The school or library must enforce the operation of the technology protection measure during the use of its computers with Internet access, although an administrator, supervisor, or other person authorized by the authority with responsibility for administration of the school or library may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

KPBSD Response: The District uses filtering software to screen Internet sites for offensive material. The Internet is a collection of thousands of worldwide networks and organizations that contain millions of pages of information. Users are cautioned that many of these pages contain offensive, sexually explicit, and inappropriate material, including, but not limited to the following categories: adult content, nudity, sex, gambling, violence, weapons, hacking, personals/dating, lingerie/swimsuit, racism/hate, tasteless, and illegal/questionable. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Additionally, having an unfiltered email address on the Internet, as do both staff and students, may lead to receipt of unsolicited email containing offensive content. Users accessing the Internet do so at their own risk. No filtering software is one hundred percent effective, and it is possible that the software could fail. In the event that filtering is unsuccessful and users gain access to inappropriate and/or harmful material, the District will not be liable.

The District will never override the Internet filter for students and will only in the very rarest of circumstances override the filter, even for bona-fide research by adults.

3. Public Notice and Hearing or Meeting

The authority with responsibility for administration of the school or library must provide reasonable public notice and hold at least one public hearing or meeting to address a proposed technology protection measure and Internet safety policy. (For private schools, “public” notice means notice to their appropriate constituent group.) Unless required by local or state rules, an additional public notice and a hearing or meeting is not necessary for amendments to Internet safety policies.

KPBSD Response: Public notice and hearing are provided through the normal school board policy adoption process.

Legal Reference

UNITED STATES CODE

15 U.S.C. 6501-6505 Children's Online Privacy Protection Act

20 U.S.C. 6751-6777, Enhancing Education Through Technology Act, Title II, Part D

47 U.S.C. § 254, Children's Internet Protection Act, as amended by the Broadband Data Improvement Act (P.L. 110-385)

CODE OF FEDERAL REGULATIONS

47 C.F.R. § 54.520, as updated by the Federal Communications Commission Order and Report 11-125 (2011)

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: ~~12/5/2011~~ _____

REVISIONS TO AR 6161.4

AASB Note: INTERNET

Effective July 1, 2012, the Children's Internet Protection Act regulations require that a district's Internet safety policy to include monitoring the online activities of minors when using district computers or networks. This has been added to the policy. Further, the policy must also provide for educating minors about appropriate online behavior, including social networking, chat rooms, and cyberbullying. This requirement was previously contained in the policy, although an "Education" heading has been added. Districts that are not yet providing instruction on Internet safety should be cognizant of the July 1, 2012 deadline.

The Legal Reference section and explanatory notes have been updated as well.

The AR, Security of Internet System, contains a minor language change.

The Exhibit (previously entitled Internet Access Permission Letter to Parents) has been replaced with a revised Student Internet User Agreement. The User Agreement was developed by the Anchorage School District.

The policy changes will require formal Board adoption.

Note: The following policy should be used by all districts providing student access to the Internet and other computer networks. An Internet safety policy is required for schools receiving universal service discounts.

Note: The Children's Internet Protection Act requires school districts to adopt Internet safety policies as a condition of receiving technology funds under Title II, Part D of the No Child Left Behind Act (20 U.S.C. § 6751-6777) for the purpose of purchasing computers with Internet access or paying the direct costs associated with accessing the Internet. Additionally, districts must adopt an Internet safety policy to qualify for most federal universal service discounts (47 U.S.C. § 254).

~~The federal laws require that the district's policy include operation and enforcement of~~ The district's Internet safety policy must include a "technology protection measure" that blocks or filters Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to use by minors, harmful to minors. As part of the funding application process, the district must certify that the required policy is in place and that the district is enforcing the use of these technology protection measures. The filter may be disabled by an administrator, supervisor, or other authorized person for "bona fide research or other lawful purpose."

Effective July 1, 2012, the Internet safety policy must also include monitoring the online activities of minors when using district computers or networks. Further, the policy must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response.

As a condition of receiving universal service discounts, schools must also adopt and implement an Internet safety policy that addresses (1) access by minors to "inappropriate matter" on the Internet and World Wide Web; (2) safety and security of minors when using electronic mail, chat rooms, and other forms of electronic communication; (3) unauthorized access ("hacking") and other unlawful activities by minors online; (4) unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and (5) measures designed to restrict minors' access to harmful materials. Schools must hold at least one public hearing before adopting the policy. The types of materials considered inappropriate for minors will be determined by the local school board. Schools must make this policy available to the FCC upon request.

Instruction

ACCEPTABLE USE POLICY/INTERNET SAFETY POLICY

AR 6161.4 (a)

Terms and Conditions for Use

General Information

Purpose

The Kenai Peninsula Borough School District provides all students access to computers, networks, and the Internet as a means to enhance their education. It is the intent to promote the use of computers in a manner that is responsible, legal, ethical, and appropriate. The purpose of this policy is to assure that all users recognize the limitations that are imposed on their use of these resources. Our many varied stakeholders work within a shared environment where all must follow the rules of use so as not to let their actions infringe on the opportunity of others to accomplish their work.

Electronic Related Technologies

Kenai Peninsula Borough School District Electronic Network Related Technologies is an interconnected system of computers, terminals, servers, databases, routers, hubs, switches, video-conferencing equipment, and wireless devices. The District's network is an inherent part of how we do business. ~~The Acceptable Use Policy covers students, staff, and any other users accessing any part of the network. Files, data, emails and any other information stored on District-owned equipment or produced while working for the District, or while attending as a student, is the property of the District. Internet and email use is a privilege, not a right. A violation of the Acceptable Use Policy may result in termination of usage and/or appropriate discipline for both students and teachers.~~

Authorized Users

The District's computer network is intended for the use of authorized users only. This also applies to the District's Wi-Fi network. Authorized users include students, staff, and others with a legitimate educational purpose for access as determined by a Memorandum of Agreement with the District. Individual schools may grant guest access on a temporary basis, but only for bona-fide school-related business. Any person using the network, or using any devices attached to the network, agrees to abide by the terms and conditions set forth ~~in AR 6161.4 District Acceptable Use Policy~~ herein. This policy is ~~referred~~ referenced to in the KPBSD Parent/Student Handbook.

Assumption of Risk

The District will make a good faith effort to keep the District network system in working order and its available information accurate. However, users acknowledge that there is no warranty or guarantee of any kind, either express or implied, regarding the accuracy, quality, or validity of any of the data or information residing on the District network or available from the Internet. The District has no ability to maintain such information and has no authority over these materials. For example, and without limitation, the District does not warrant that the District network will be error-free or free of computer viruses.

Indemnification

In making use of these resources, users agree to release the District from all claims of any kind, including claims for direct or indirect, incidental, or consequential damages of any nature, arising from any use or inability to use the network, and from any claim for negligence in connection with the operation of the District network. Use of District computers and/or the District network is at the risk of the user.

Indemnification

~~The user indemnifies and holds the District harmless from any claims, including attorney's fees, resulting from the user's activities while utilizing the District network that cause direct or indirect damage to the user or third parties.~~

Ownership

~~Files, data, emails and any other information stored on District-owned equipment or produced while working for the District or while attending as a student, are the property of the District.~~

Personally-owned EquipmentElectronic Devices

Schools not allowing students to bring personally-owned equipment to school are

- Kenai Youth Facility, and
- Spring Creek SchoolMarathon School.

Unless otherwise listed above, students may bring laptops, netbooks, smart phones, personal digital assistants, tablet computers, MP3 players, e-readers, etc. to school for their personal educational use. The user is responsible for assuring that personally-owned computers are ready for use with the District network. This includes assuring that user loaded files and programs do not consume hard drive space needed for instructional or education requirements and needed software is

loaded.—The District will not troubleshoot or provide technical support on personally-owned equipment. Bringing personally-owned equipment to school is absolutely done at the users own risk. The District is not responsible for theft or damage of personal property, or any damage a user may suffer, including loss of data.

~~Other Electronic Devices~~

~~Other electronic devices include, but are not limited to, cellular telecommunication devices such as cellular phones, smart phones, pagers, text communication pagers, two-way text pagers, I-Pod Touches, and personal digital assistants.—Wireless access by a personally-owned laptop is allowed, but connecting to the physical network by plugging into a wall jack is never allowed.~~

Any electronic device falls under the authority of the Acceptable Use Policy if used on school grounds, regardless of whether they may or may not be wirelessly connected to the District network infrastructure. For example, texting or emailing inappropriate pictures to other students while at-on school property would be a violation of the Acceptable Use ~~Agreement-Policy~~ even if only done using the user's personal cellular plan and using no District provided network services.

Software on Personally-Owned Devices

The District will not provide software for personally-owned computers. Schools may distribute software apps to iPads, iPods, iPhones, or potentially other personally-owned (non-computer) devices, for both students and staff, if done in accordance with District policies in place at that time.

I-podsiPods or MP3 players.

Only legally purchased music may be installed on a District-owned MP3 player or any district computer. It is the responsibility of the assigned I-Pod*iPod* user to provide proof of ownership of all copyrighted music. The user must also backup their music as Information Services does not backup MP3 files nor check for MP3 files when imaging computers.

Access to Wi-Fi

Access to the wireless network by personally-owned computers, smart phones, or other devices is allowed by authorized users. The District must balance the needs to keep our network operational and protected from viruses or loss of service attacks with the educational advantages of a more open, inclusive network. With the wireless capability KPBSD has the ability to have an acceptable level of protection for our network and still allow computers into the wireless network. *Exhibit 6161.4(b) KPBSD Wireless Information* shows what service level can be expected from various computer operating systems. Most personally-owned computers or devices will connect to the wireless network; however, most will

probably only connect at the Low-Speed Internet level. It is important to understand that access to nNetwork resources commonly taken for granted, like printer access, network file storage, and file backup are not likely available tofor the personally-owned computer userdevices. Of particular note, the district does not provide data backups for data stored on a personally-owned device. Users are responsible for their own data and are cautioned to backup their own files in the event of a hard drive or other failure on a personally-owned computer

Personally-owned equipment may NOT be attached to the network via an Ethernet cable or other wire. Wireless access by a personally owned laptop is allowed but connecting to the physical network by plugging into a wall jack is never allowed.

Electronic Mail (Email)

Electronic Mail (email) consists of all electronically transmitted information including any combinations of text, graphics, audio, pictorial, or other information created on or received by a computer application system and includes the transmission data, message text, and all attachments. The District provides one email address (@g.kpbsd.org) for grade 4-12 students (or lower grade at the request of the principal)–Google Gmail @ g.kpbsd.org. The District does not filter email beyond the SPAM filtering done by Google for the District-provided Gmail email accounts. Google may also have rules for use beyond what is covered in this agreement.

The District provides two email addresses for staff (Microsoft Exchange/Outlook @ kpbsd.k12.ak.us and Google-GmMail @ g.kpbsd.org). Staff should use the Microsoft Exchange/Outlook @ kpbsd.k12.ak.us for all District communications.

SPAMMING, or the mass sending of email, from any District email accounts, for any purpose whatsoever, is strictly prohibited. Spammers often search out individuals and attempt to get people to divulge username or password information to allow the spammers to use an email account and our network to send out SPAM email. Spammers have been surprisingly successful enticing staff to divulge network login information. Users are prohibited from revealing network or email logon information to anyone. If an email account is compromised and used for these purposes, the account will be disabled. The District will never ask a user to disclose a username and password through an email. Any such request, regardless of how credible it may seem, is an attempt to hijack an account.

Users should not expect that their data, use of email, District computers, or the District network is private.

Blogs

The District also creates a personal web log or blog for each student and staff for educational use. The user must initially activate the blog. KPBSD blogs are only indexed within the District, meaning they are not searchable from the Internet. However, if the URL address is shared, anyone on the Internet can view or

contribute to the blog. ~~U~~When using blogs, users are expected to maintain the same level of civility as required on all communication covered by this policy. Post with respect, stick to the facts, and avoid unnecessary or unproductive arguments.

Websites

The school's website is limited to school-related materials and events. Students may create web pages as a part of a class activity. The District has the right to exercise final editorial authority over the content and/or style of user web pages created as part of a class activity.

Parental Request for Non-Participation by Students (Internet or Email Opt-Out)

Parents of minor students (under 18 years of age) may request that their student(s) not be allowed access to the Internet, or may opt out of District-provided Gmail email accounts by submitting *E 6161.4(a) Internet Access Non-Permission Form* to the office at the student's school. Such restriction, once signed, remains in force until rescinded by the parent or the legal aged student. This action also denies access to the District wireless network.

It should be noted that Gmail is part of the Google Apps online collaborative office productivity suite. Denying access to Gmail also denies access to Google Apps. Opting-out does not mean a student will not access email at school; it just means that the District will not provide the email address for the student to use. There are many free email sites on the Internet where anyone can get a free email account. Other free email sites are also not content filtered and may not filter SPAM.

Non-Participation by Students

Directory Information Parent Opt-Out Form

Parents of minor students (under 18 years of age) may request that ~~the District not post their children's work, photographs or names on the Internet by completing and returning *E 5125.1(b) Directory Information Parent Opt-Out Form* to the school office.~~ ~~their student(s) not be allowed use of the Internet, by submitting *E 6161.4 (a) Internet Access Non-Permission Form* to the office at the student's school.~~ This action will also deny access to the District wireless network.

Security

~~No illegal entry (hacking) or unethical attempt should ever be made to access any network, computer, or data belonging to someone else. Users should never log on with the network credentials of another person, but should only use the username and password supplied by the District for their exclusive use. Users should make every effort to keep all passwords supplied by the District for their exclusive use secure and private. Any activity undertaken for the purpose of hiding one's identity, to bypass the Internet filter, or to spread computer viruses is forbidden. It shall be the responsibility of all members of the school staff to appropriately supervise and monitor usage to ensure compliance with this Acceptable Use Policy and the Children's Internet Protection Act. If a student inadvertently accesses inappropriate information, he or she should immediately disclose the inadvertent access to a teacher or to the school principal. All users are to promptly report any security violations of the Acceptable Use Policy to their teacher or the school principal. The principal should then report violations to the Information Services department. In order to maintain the security of the District network, users are prohibited from engaging in the following actions:~~

- ~~1. Using a modem to dial into any online service provider, or Internet Service Provider (ISP).~~
- ~~2. Attaching a wireless access point or any other network gateway to the District's network, thereby providing unsecured anonymous access to the District network.~~
- ~~3. Intentionally disrupting the use of any computer for other users, including, but not limited to, disruptive use of any processes or programs, intentionally spreading computer viruses, utilizing tools for ascertaining passwords, unauthorized use of a guest password, or engaging in "hacking" of any kind, which is an illegal or unlawful entry into an electronic system to gain secret unauthorized information.~~
- ~~4. Disclosing the contents or existence of District computer files, confidential documents, email correspondence, or other information to anyone other than authorized recipients.~~
- ~~5. Users must not use, or attempt to discover, the login or password belonging to someone else. Neither staff nor students should be using a guest account, but should always use the account provided to them by the District.~~
- ~~6. Unauthorized file sharing, downloading unauthorized games, programs, files, electronic media, and/or stand-alone applications from the Internet that may cause a threat to the District network is not permitted.~~

~~Access to Wi-Fi~~

~~Access to the wireless network by personally owned computers, smart phones, or other devices is allowed by authorized users. The District must balance the needs to keep our network operational and protected from viruses or loss of service attacks with the educational advantages of a more open, inclusive network. With the wireless capability KPBSD has the ability to have an acceptable level of protection for our network and still allow computers into the wireless network. Exhibit 6161.4(b) KPBSD Wireless Information shows what service level can be~~

~~expected from various computer operating systems. Most personally owned computers or devices will connect to the wireless network; however, most will probably only connect at the Low Speed Internet level. It is important to understand that access to network resources commonly taken for granted, like printer access, network file storage, and file backup are not likely available to the personally owned computer user. Of particular note, the district does not provide data backups for data stored on a personally owned device. Users are responsible for their own data and are cautioned to backup their own files in the event of a hard drive or other failure on a personally owned computer~~

~~Personally owned equipment may NOT be attached to the network via an Ethernet cable or other wire. Wireless access by a personally owned laptop is allowed but connecting to the physical network by plugging into a wall jack is never allowed.~~

~~Personally owned Equipment~~

~~Schools not allowing students to bring personally owned equipment to school are~~

- ~~• Kenai Youth Facility, and~~
- ~~• Spring Creek School.~~

~~Unless otherwise listed, students may bring laptops, netbooks, smart phones, personal digital assistants, etc. to school for their personal educational use. The user is responsible for assuring that personally owned computers are ready for use with the District network. This includes assuring that user loaded files and programs do not consume hard drive space needed for instructional or education requirements and needed software is loaded. The District will not troubleshoot or provide technical support on personally owned equipment. Bringing personally owned equipment to school is absolutely done~~

~~ACCEPTABLE USE POLICY/INTERNET SAFETY POLICY (continued)~~

~~at the users own risk. The District is not responsible for theft or damage of personal property, or any damage a user may suffer, including loss of data.~~

~~**Caution:** Because user installed peer to peer networking takes place at home, perhaps to share music, staff should be aware that some of these services share ALL files on their computer. The user is responsible to safeguard the confidentiality of student related data on a personally owned computer.~~

~~**Electronic Mail (Email)**~~

~~Electronic Mail (email) consists of all electronically transmitted information including any combinations of text, graphics, audio, pictorial, or other information created on or received by a computer application system and includes the transmission data, message text, and all attachments.~~

~~The District provides two email addresses for staff (Microsoft Exchange/Outlook @ kpbsd.k12.ak.us and Google Gmail @ g.kpbsd.org). The District provides one email address for grade 4-12 students (or lower grade at the request of the principal) Google Gmail @ g.kpbsd.org. The District does not filter email beyond the SPAM filtering done by Google for the District provided Gmail email accounts. Google may also have rules for use beyond what is covered in this agreement. A parent has the option of not allowing their student access to the District provided Gmail account. To opt out of the District provided email, parents need to complete the ~~E-6161.4a~~ ~~Internet Access Non-Permission Form~~ and return to the school office. Such restriction, once signed, remains in force until rescinded by the parent or the legal age student.~~

~~Gmail is part of the Google Apps' online collaborative office productivity suite. Denying access to Gmail also denies access to Google Apps. Opting out of Google Apps doesn't mean a student will not access email at school, it just means the District will not provide the email address for the student to use. There are many free email sites on the Internet that anyone can sign up for. Other free email sites are also not content filtered and may not filter SPAM.~~

~~SPAMMING, or the mass sending of email, from any District email accounts, for any purpose whatsoever, is strictly prohibited. Spammers often search out individuals and attempt to get people to divulge username or password information to allow the spammers to use an email account and our network to send out SPAM email. Users are prohibited from revealing network or email logon information to anyone. If an email account is compromised and used for these purposes, the account will be disabled.~~

~~ACCEPTABLE USE POLICY/INTERNET SAFETY POLICY~~ (continued)

~~Users should not expect that their data, use of email, District computers, or the District network is private.~~

~~Blogs~~

~~The District also creates a personal web log or blog for each student and staff for educational use. The user must initially activate the blog. KPBSD blogs are only indexed within the District. However, if the address is shared, anyone on the Internet can view or contribute to the blog. Users are expected to maintain the same level of civility as required on all communication covered by this policy. Post with respect, stick to the facts, and avoid unnecessary or unproductive arguments.~~

~~Websites~~

~~The school's website is limited to school-related materials and events. Students may create web pages as a part of a class activity. The District has the right to exercise final editorial authority over the content and/or style of user web pages.~~

Monitoring

Network activity is logged ~~by our Internet filter software~~ including ~~tracking of~~ websites visited by users. Email processed, delivered, or stored on District-owned equipment is owned by the District ~~and may be inspected by the District~~. Information Services commonly uses software ~~called VNC~~, to remotely access and control any District computer on the network, with or without the user's permission, but only for a legitimate purpose. Remote access, where the ~~remote computer~~ user grants permission for entry access, has been given to some District-level support staff. Remote-access capability is commonly used to diagnose and quickly correct problems, or to train the remote staff member on some computer or software function.

Monitoring Staff Computer Usage

No member of KPBSD management has access to an employee's email accounts, web-browsing history, or data files. Information Services staff will provide such information to the Director, Human Resources, upon request.

Monitoring Student Computer Usage

School principals have access to student Gmail accounts and to the Internet browsing history of the students at their school. Some principals may assign a designee for that access responsibility, such as assistant principals, counselors, or secretaries. Information Services has access to the above items, and also has access to a student's data files and will provide any of this information to a school principal or their designee upon request. Information Services staff will on occasion search logs for security violations and will report violators to the appropriate school principal or in some cases may take independent action.

Software

The Kenai Peninsula Borough School District will not install computer software that we are not licensed to use. There are no exceptions. All computer software license agreements and proof of ownership are documented in the Information Services department. Software is installed by Information Services staff or through tools provided by them to key school personnel. No commercial computer software will be installed on District-owned computers by other staff or students. If teachers buy software and want the software loaded on District computers, they will have to donate the software and license to the District and provide proof of purchase.

~~Home Use of District Owned Software – Staff Only~~

~~Some software publishers allow home use according to the “80/20 Rule.” This rule states that if a school purchases a software license for a specific computer where the teacher/staff is the primary user (80%+ of the time), the teacher/staff may install the software on a home computer at no extra charge. The use of the software at home is governed by the same license agreement as at school, (i.e., it may not be used for commercial/for-profit use.) The 80/20 Rule only applies to staff as long as they are using the specific District computer (the staff's actual office/classroom computer) that has the software installed. If the software is removed from the specific District staff computer then the 80/20 rule is no longer in effect and the software must be removed from the home computer as well. Personally owned laptops brought into the school setting are not covered under the intent of the 80/20 Rule. The 80/20 rule allows home use, but once the personally owned laptop leaves home the 80/20 rule no longer applies. If a staff member leaves the employ of the School District 80/20 software must be removed from any home computer. Lab computers do not qualify for the 80/20 rule. Information Services will provide the software media to schools upon request. Schools can check out the media to staff to load the 80/20 software at home. It is the responsibility of the staff member to insure compliance with the 80/20 rule.~~

~~Home use under the 80/20 Rule, or similarly intended software licenses, are the only exception where District owned software is allowed on personally owned computers. The District does not buy Mac or Unix versions of software so it cannot provide those versions of software for home use under the 80/20 Rule.~~

~~Software on personally-owned laptops~~

~~Any staff or student bringing in their personally-owned computer to school must supply their own software. The District will not provide software for personally-owned computers used in schools.~~

~~**I-pods-i-Pods or MP3 players.** Only legally purchased music may be installed on a District-owned MP3 player or any district computer. It is the responsibility of the assigned I-Pod user to provide proof of ownership of all copyrighted music. The user must also backup their music as Information Services does not backup MP3 files nor check for MP3 files when imaging computers.~~

Lawsuits

The District will not defend users against lawsuit for Acceptable Use Policy violations including music, software, or print copyright violations.

User Responsibilities

Users should be polite, kind, courteous, and respectful at all times. Users are expected to respect the property of others, including District property, and be responsible for using equipment appropriately, including using personally-owned equipment appropriately. ~~It is the responsibility of all members of the school staff to appropriately supervise and monitor student usage to ensure compliance with this Acceptable Use Policy and the Children's Internet Protection Act. The District's network is intended for educational use. Teachers and other staff should guide students in their computer use so that students will learn how Internet resources can provide valuable educational information from other classrooms, schools, national and international sources.~~

Acceptable Uses

~~It may be helpful to correlate acceptable behavior in the school building to what is acceptable behavior online. In the school setting, treat others as you would like to be treated. Show respect and kindness to others.~~

The User Should:

- ~~1. Adhere to these current Acceptable Use Policy guidelines each time the District network is used.~~
- ~~2. Use the resources available through the Internet and other electronic media to supplement material available through the classroom, media center or through any other resource provided by the school.~~
- ~~3. Make available for inspection by a principal or teacher upon request any messages or files sent or received at any District Internet location. Staff should have a legitimate safety concern to invoke inspection.~~

- ~~2. Show respect for the audience by using appropriate language. The use of ethnic slurs, personal insults, profanity, obscenities, or engagement in any conduct that would not be acceptable inside the school are prohibited. Immediately disclose an inadvertent access of inappropriate information to a teacher or the school principal.~~
- ~~4.3. Show proper consideration for topics that may be considered objectionable or inflammatory.~~
- ~~5. Show proper consideration for topics that may be considered objectionable or inflammatory—for example—politics or religion.~~
- ~~6. Protect their own privacy. Be mindful that what is published on the Internet can be public for a long time.~~
- ~~7.4. Keep ALL everyone’s personal information confidential, including addresses, telephone numbers, and pictures of students or staff (or anyone else) confidential., etc.~~
- ~~8. Re post (to make appear online again) or forward emails only after obtaining the original author’s prior consent. This is common courtesy.~~
- ~~9.5. Abide by all plagiarism, copyright and fair use laws, including print, music, and software copyright laws.~~
- ~~10. Report improper email messages to the teacher.~~
- ~~11. Use technology for school-related purposes during the instructional day.~~
- ~~6. Use these resources so as not to disrupt service to other users. Make available for inspection by a principal, or upon request by a teacher, any messages or files sent or received by a student at any District Internet location. Staff should have a legitimate safety concern to invoke inspection.~~
- ~~7. Use technology for school-related purposes during the instructional day.~~
- ~~8. Report any cyberbullying against any student to the principal.~~
- ~~12.9. Use Internet related Chat (IRC) or other instant messaging appropriately. Always know the person you are messaging.~~

Unacceptable Uses

Do not use derogatory or inflammatory language that is generally considered offensive or threatening. Do not insult, bully, threaten, or personally attack people. Be on your best school behavior while online.

The User Should:

- ~~1. Not use computers or the network inconsistent with or in violation of District or school rules.~~
- ~~2. Not use equipment for any illegal or unethical activity. This includes, but is not limited to, tampering with computer hardware or software, network equipment, unauthorized entry into computers, and vandalism or destruction of equipment, software, or computer data.~~
- ~~3. Avoid derogatory or inflammatory language that is generally considered offensive or threatening. The user should not use these resources to participate in “Cyber Bullying” such as personal attacks and/or threats to or against anyone.~~

- ~~4.1.~~ Not view or attempt to locate material in any format (electronic, printed, audio, or video, ~~) that is unacceptable in a school setting~~ ~~in any format~~. This includes, but is not limited to, sexist or racist material, sexually explicit, pornographic, obscene, or vulgar images or language; graphically-violent music, music videos, screen savers, backdrops, and pictures. The criteria for acceptability is demonstrated in the types of material made available to students by principals, teachers, and the school media center.
- ~~5.2.~~ Not download, upload, import or view files or websites that purport the use of illegal drugs, alcohol or illegal and/or violent behavior except when school-approved, and teacher-supervised ~~digital media~~.
- ~~6.~~ ~~Not plagiarize the work of others gained through use of the District network, or any other means.~~
- ~~7.3.~~ ~~Not use for soliciting or distributing information with the intent to incite violence; cause personal harm or bodily injury; or to harass, bully, or "stalk" another individual.~~
- ~~8.4.~~ ~~Not upload, post, email, transmit, or otherwise make available any content that is unlawful, dangerous, or may cause a security risk.~~
- ~~9.5.~~ ~~Not use for, but not limited to, wagering, gambling, junk mail, chain letters, jokes, raffles, or fundraisers.~~
- ~~10.~~ ~~Not use a District email account to express religious or political views.~~
- ~~11.6.~~ ~~Not play games, including Internet-based games, during the instructional day, unless school approved and teacher supervised.~~
- ~~7.~~
- ~~12.~~ Not use online social networks or any form of online publishing or online personal communication during the instructional day unless specifically allowed at school or under the direction of a teacher.
- ~~13.8.~~ ~~Not use for financial gain or for the transaction of any personal business or commercial activities:~~
- ~~a. Including any activity that requires an exchange of money or use of a credit card number,~~
 - ~~b. any purchase or sale of any kind,~~
 - ~~c. or any use for product or service advertisement.~~
- ~~14.9.~~ Not stream non-educational music or video during the instructional day.
- ~~15.10.~~ Not invade the privacy of individuals, including the unauthorized disclosure, dissemination, or use of information, photographs, or videos. bypass or attempt to bypass the District's Internet filtering software. Use of proxy servers to bypass Internet filters or to conceal the identity of one's computer or user information on the network is prohibited.
- ~~16.11.~~ Not use for soliciting or distributing information with the intent to incite violence; cause personal harm or bodily injury; or to harass, bully, or "stalk" another individual.

- ~~17.12. Not upload, post, email, transmit, create direct web links to, or otherwise make available any content that is inappropriate, unlawful, dangerous, or may cause a security risk.~~
- ~~18.13. Not use for, but not limited to, wagering, gambling, junk mail, chain letters, jokes, raffles, or fundraisers.~~
14. Not use a USB storage device to launch software.
15. Not use a District email account to express religious or political views. When expressing personal opinions a personal account is to be used.
- ~~19.16. Not play games, including Internet-based games, during the instructional day, unless school-approved and teacher-supervised.~~
- ~~20.17. Not use for financial gain or for the transaction of any personal business or commercial activities, including any personal purchase or sale activity that requires an exchange of money or use of a personal credit card number or for any product or service advertisement.~~
- ~~a. Including any activity that requires an exchange of money or use of a credit card number,~~
- ~~b. any purchase or sale of any kind,~~
- ~~c. or any use for product or service advertisement.~~
- ~~21.18. Not waste school resources through improper or personal use of the computer system.~~
- ~~22.19. Not deface or vandalize District-owned equipment in any way, or the equipment of another person, including but not limited to, marking, painting, drawing, marring, removing computer parts, or placing stickers on any surface in any way.~~
- ~~23. Not intentionally seek information of, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent or assume the identity of others.~~
- ~~24. Not create or use unauthorized networks including, but not limited to voice, data, IP, peer to peer, or proxy networks.~~
- ~~25. Not download any programs, files, or games from the Internet or other sources that can be run or launched on the computer as a stand alone program. These programs or files are sometimes called "executable files."~~
- ~~26. Not create direct links to inappropriate or illegal sites.~~
- 27.20. Not violate of any provision of the Family Educational Rights and Privacy Act which makes confidential a student's educational records, including, but not limited to, a student's grades and test scores. Staff members are solely responsible to safeguard the confidentiality of student-related data on a personally-owned computer.

Sanctions

Internet access and email use is a privilege, not a right. A violation of the Acceptable Use Policy may result in termination of usage and/or appropriate discipline for both students and teachers. The Terms and Conditions shall be used in conjunction with the District's discipline policies (AR 5144 Discipline). Individual schools may choose to have additional rules and regulations pertaining

to the use of networked resources in their respective buildings. Failure to abide by this policy may subject the user to corrective action ranging from suspension of some or all access privileges up to and including expulsion, termination and prosecutions according to District Policies. Users may be denied access to the District network while an investigation is underway. If a user's access to the District network is suspended or revoked by network administrators as a result of violations of this policy, the user may appeal the suspension in writing, to the Superintendent within ten (10) days. If a violator is removed from the District network, there shall be no obligation to provide a subsequent opportunity to access the network.

The Children's Internet Protection Act (CIPA)

The Children's Internet Protection Act, ~~enacted~~ was signed into law on December 21, 2000. To receive support for Internet access and internal connections services from the Universal Service Fund (USF), school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. The relevant authority with responsibility for administration of the eligible school or library must certify the status of its compliance for the purpose of CIPA in order to receive USF support. ~~requires recipients of federal technology funds to comply with certain technology protection measures (Internet filtering) and policy requirements.~~

~~Schools~~ In general, schools and libraries ~~library authorities receiving funds for Internet access and/or internal connections services~~ must also ~~certify either that they have complied with the requirements of CIPA; that they are undertaking actions, including any necessary procurement procedures to comply with the requirements of CIPA; or that CIPA does not apply to them because they are receiving discounts for telecommunications services only. meet the Internet safety policies of the Neighborhood Children's Internet Protection Act (NCIPA) that addresses the broader issues of electronic messaging, disclosure of personal information of minors, and unlawful online activities. The Protecting Children in the 21st Century Act, enacted October 10, 2008, adds an additional Internet Safety Policy requirement covering the education of minors about appropriate online behavior.~~

CIPA requirements include the following three items:

1. Internet Safety Policy

Schools and libraries receiving universal service discounts are required to adopt and enforce an Internet safety policy that includes a technology protection measure that protects against access by adults and minors to visual depictions

that are obscene, child pornography, or — with respect to use of computers with Internet access by minors — harmful to minors.

KPBSD Response: The Acceptable Use Policy/Internet Safety Policy addresses all required Internet Safety Policy issues.

Note: ~~In 2008, the Broadband Data Improvement Act amended the Effective July 1, 2012, the Children's Internet Protection Act to mandate requires~~ that a school district's Internet safety policy ~~now include provide for~~ educating students about appropriate online behavior, including interacting with other individuals on social networking web sites and in chat rooms, as well as cyberbullying awareness and response.

For schools, the policy must also include monitoring the online activities of minors. Note: beginning July 1, 2012, when schools certify their compliance with CIPA, they will also be certifying that their Internet safety policies have been updated to provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness, and response.

KPBSD Response: Students will be provided age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, at a minimum, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

(cf. 5131.43 Harassment, Intimidation and Bullying)

2. Technology Protection Measure.

A technology protection measure is a specific technology that blocks or filters Internet access. The school or library must enforce the operation of the technology protection measure during the use of its computers with Internet access, although an administrator, supervisor, or other person authorized by the authority with responsibility for administration of the school or library may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

KPBSD Response: The District uses filtering software to screen Internet sites for offensive material. The Internet is a collection of thousands of worldwide networks and organizations that contain millions of pages of information. Users are cautioned that many of these pages contain offensive, sexually explicit, and inappropriate material, including, but not limited to the following categories: adult content, nudity, sex, gambling, violence, weapons, hacking, personals/dating, lingerie/swimsuit, racism/hate, tasteless, and illegal/questionable. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Additionally, having an unfiltered email address on the Internet, as do both staff and students, may lead to receipt of

unsolicited email containing offensive content. Users accessing the Internet do so at their own risk. No filtering software is one hundred percent effective, and it is possible that the software could fail. In the event that filtering is unsuccessful and users gain access to inappropriate and/or harmful material, the District will not be liable.

The District will never override the Internet filter for students and will only in the very rarest of circumstances override the filter, even for bona-fide research by adults.

3. Public Notice and Hearing or Meeting

The authority with responsibility for administration of the school or library must provide reasonable public notice and hold at least one public hearing or meeting to address a proposed technology protection measure and Internet safety policy. (For private schools, “public” notice means notice to their appropriate constituent group.) Unless required by local or state rules, an additional public notice and a hearing or meeting is not necessary for amendments to Internet safety policies.

KPBSD Response: Public notice and hearing are provided through the normal school board policy adoption process.

Technology Protection Measure (Internet Filter)

~~Pursuant to the Children's Internet Protection Act (CIPA), the District uses filtering software, at this time M86 Security, to screen Internet sites for offensive material. The Internet~~

INTERNET SAFETY POLICY (continued)

~~that contain millions of pages of information. Users are cautioned that many of these pages contain offensive, sexually explicit, and inappropriate material, including, but not limited to the following categories: adult content, nudity, sex, gambling, violence, weapons, hacking, personals/dating, lingerie/swimsuit, racism/hate, tasteless, and illegal/ questionable. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Additionally, having an unfiltered email address on the Internet, as do both staff and students, may lead to receipt of unsolicited email containing offensive content. Users accessing the Internet do so at their own risk. No filtering software is one hundred percent effective, and it is possible that the software could fail. In the event that filtering is unsuccessful and users gain access to inappropriate and/or harmful material, the District will not be liable.~~

~~The District will never override the Internet filter for students and will only in the very rarest of circumstances override the filter, even for bona-fide research by adults. Requests for a filter override can be made by contacting Information Services.~~

~~Children's Internet Protection Act Definition of Terms:~~

~~Technology Protection Measure:~~ The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are

- ~~a. obscene, as that term is defined in section 1460 of title 18, United States Code;~~
- ~~b. child pornography, as that term is defined in section 2256 of title 18, United States Code; or~~
- ~~c. harmful to minors.~~

~~Harmful To Minors:~~ The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that—

- ~~a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion.~~
- ~~b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and~~
- ~~c. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.~~

~~Directory Information Parent Opt-out Form.~~

~~Parents of minor students (under 18 years of age) may request that the District not post their children's work, photographs or names on the by completing and returning E5125.1(b) Directory Information Parent Opt Out Form to the school office.~~

~~Sanctions~~

~~The Terms and Conditions shall be used in conjunction with the District's discipline policies (AR5144). Individual schools may choose to have additional rules and regulations pertaining to the use of networked resources in their respective buildings. Failure to abide by this policy may subject the user to corrective action ranging from suspension of some or all access privileges up to and including expulsion, termination and prosecutions according to District Policies. Users may be denied access to the District network while an investigation is underway. If a user's access to the District network is suspended or revoked~~

~~by network administrators as a result of violations of this policy, the user may appeal the suspension in writing, to the Superintendent within ten (10) days. If a violator is removed from the District network, there shall be no obligation to provide a subsequent opportunity to access the network.~~

~~Portions of this policy used with permission of Henrico County Public Schools.~~

Legal Reference

UNITED STATES CODE

~~15 U.S.C. 6501-6505 Children's Online Privacy Protection Act~~

~~20 U.S.C. 6751-6777, Enhancing Education Through Technology Act, Title II, Part D~~

~~47 U.S.C. § 254, Children's Internet Protection Act, as amended by the Broadband Data Improvement Act (P.L. 110-385)~~

CODE OF FEDERAL REGULATIONS

~~47 C.F.R. § 54.520, as updated by the Federal Communications Commission Order and Report 11-125 (2011)~~

CODE OF FEDERAL REGULATIONS

~~47CFR54.520—Sec. 54.520 Children's Protection Act~~

~~34CFR99—Part 99 Family Educational Rights & Privacy Act~~

UNITED STATES CODE

~~15 U.S.C. 6502-6505 Children's Online Privacy Protection Act~~

~~Title 18, Section 1460, Possession with intent to sell, and sale, of obscene matter~~

~~Title 18, Section 2256, Sexual Exploitation and Other Abuse of Children.~~

~~Title 17, Copyrights~~

~~47 U.S.C. § 254 Children's Protection Act, as amended by the Broadband Data Improvement Act (P.L. 110-385)~~

~~Protecting Children in the 21st Century Act, October 10, 2008~~

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 12/5/2011

PARENT/STUDENT HANDBOOK

The Superintendent shall prepare and distribute a Parent/Student Handbook to each student and parent annually that includes standards of conduct, student's rights and responsibilities, and other information about the operation of District schools.

PARENT/STUDENT HANDBOOK

The purpose of the Handbook is to inform and guide students and parents.

The Handbook will be provided to students and parents or guardian via their students and they are all encouraged to carefully read the contents. Student awareness of the handbook should be reinforced in one or all of the following ways:

1. satisfactory student completion of a questionnaire or worksheet based upon handbook contents; or
2. teacher review of the handbook with students during the first week of school; and
3. any practicable means should be used to notify parents about the handbooks.

Faculty, staff, and students shall be responsible for knowing, understanding and complying with law, policy, regulations, and school rules included in the Handbook.

Changes in the Handbook that affect ongoing procedures will be communicated to all affected parties when they become operational and incorporated in handbooks at the next revision.

In addition to the District’s Parent/Student Handbook, a school may provide school specific information including school philosophy, school day and calendar, attendance requirements, fees, fire drills, use of school facilities and equipment, reporting procedures, disciplinary practices, campus visitors, lockers, rights and responsibilities, field trips, cocurricular activities, bus regulations, and other items.

Notes from AASB re revisions to BP/AR/E 5125 Student Records

FERPA regulations were amended effective January 2012. Only the introductory Note and Legal Reference section of the policy required changes.

The AR has been revised as follows:

- The categories of directory information have been expanded to include scholarship eligibility (note that this change is also reflected in *policy* at BP 5125.1), for the purpose of the University of Alaska and Alaska Performance Scholarships.
- A definition of “education program” has been added.
- A requirement for a data sharing agreement has been added to cover disclosures without consent pursuant to FERPA’s audit and evaluation exception.

The Exhibit, which is the annual FERPA notice, has been revised consistent with changes to the Model Notice prepared by the Family Policy Compliance Office of the U.S. Department of Education.

Student

BP 5125

STUDENT RECORDS

Note: The Family Educational Rights and Privacy Act (“FERPA”) is a federal law requiring districts to maintain policies and regulations for student records which meet the requirements of law. The complexity of federal and state laws makes it imperative for the district to carefully consider its actions with regard to student records and seek legal advice when deemed necessary. FERPA regulations have been amended, effective January 8, 2012.

The School Board recognizes the importance of keeping accurate, comprehensive student records. The confidentiality of student records shall be maintained in accordance with legal requirements. Information may be disclosed from student records when necessary to protect the health or safety of a student or others, as permitted by law.

The Superintendent shall establish regulations for Board approval governing the maintenance of student records. These regulations shall ensure parental rights to inspect student records; to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student’s privacy rights; to consent to disclosure of personally identifiable information except when disclosure is authorized without consent by law; and to file a complaint to challenge the District’s compliance with applicable laws governing student records.

(cf. 3580 – District Records

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.2 - Challenging Student Records)

(cf. 5125.3 - Withholding Grades, Diploma or Transcripts)

(cf. 6162.8 - Research)

Legal Reference:

ALASKA STATUTES

40.25.120-40.25.220 Public Records Act
14.03.110 Questionnaires and Surveys administered in public schools
14.03.113 District Determination of scholarship eligibility
14.03.115 Access to school records by parent, foster parent, or guardian
14.03.350 Definitions, exceptional children
14.30.700 Records of missing children
14.30.710 Required records upon transfer
14.30.720 Definitions
14.30.745 Provision of student information to academy
14.43.810-850 Alaska merit scholarship program
14.43.930 Scholarship program information

ALASKA ADMINISTRATIVE CODE

4 AAC 07.060 Student records
4 AAC 43.010-900 Alaska performance scholarship program
4 AAC 52.510 Parental access to records
4 AAC 52.847 Parental consent for release of records

UNITED STATES CODE, ~~TITLE 20~~

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, 20 U.S.C. 1232 g, as amended
by USA PATRIOT ACT OF 2001, Public Law 107-56; 115 Stat. 272

34 CODE OF FEDERAL REGULATIONS

Part 99 as amended Jan. ~~2009~~2012
300.502 Opportunity to examine records
300.624 Destruction of information

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: ~~7/13/09~~ _____

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.

e.g. Grades on peer-graded papers before they are collected and recorded by a teacher.

f.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, postsecondary education, special 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;

- 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 a parent or eligible student may opt out of the following disclosures:

- the University of Alaska scholarship programs;
- the Alaska ~~merit scholarship program~~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. 4.—Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of ~~the Department of Health, Education and Welfare~~, or the Department of Education and Early Development of the State of Alaska; if the information ~~is protected in a manner that does not permit personal identification of individuals by anyone except the authorized representatives just identified.~~is provided in connection with an audit or evaluation of federal or state supported education 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

Note: The District’s records policy must provide for an annual notification which explains the rights of parents and eligible students to file a complaint with the United States Department of Education concerning alleged failures to comply with the requirements of the federal Family Educational Rights and Privacy Act and its regulations.

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
~~400 Maryland Avenue, SW~~
Washington, D.C. 20202-~~8520~~5920
(202) 260-3887

NOTIFICATION OF RIGHTS UNDER FERPA
FOR ELEMENTARY AND SECONDARY SCHOOLS

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 or designee 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. A copying fee may be charged.

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 or designee, 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 provide written consent before the school discloses personally identifiable information 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 outsourced services or functions that it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer 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.~~

3. The right to provide written consent before the school discloses personally identifiable information from 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) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees or who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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.

Other exceptions for disclosure without consent are detailed in FERPA and Board Policy and Administrative Regulation 5125.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or District to comply with the requirements of FERPA. A complaint may be filed with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

In addition, you are entitled to notice of the following disclosures of student records:

1. Upon request, the District discloses education records without consent to officials of another school district or an institution of post-secondary education where the student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.
2. By September 15 of each year, the District will provide to the University of Alaska a list of names and addresses of students in the graduating class who meet scholarship eligibility requirements for each scholarship program. Release of a student's name to the University of Alaska will not be made if the parent or eligible student objects. An objection should be made in writing to the assistant superintendent of instruction.

3. By July 15 of each year, the District will transmit to the Alaska Department of Education and Early Development an electronic version of each graduating student's permanent record that describes the student's eligibility for the Alaska Performance Scholarship Program. An objection should be made in writing to the assistant superintendent of instruction.

4. By January 15 and July 15 of each year, the District will provide to the Alaska Challenge Youth Academy, operated by the Department of Military and Veterans' Affairs, a report containing the name, address, and dates of attendance of prior students ages 15 through 18 who appear no longer enrolled in any educational institution and who have not received a diploma or GED. Release of a student's information to the Alaska Challenge Youth Academy will not be made if the parent or eligible student objects. An objection should be made in writing to the assistant superintendent of instruction.

| Revised ~~6/2011~~5/2012

AASB Note: RELEASE OF DIRECTORY INFORMATION

Effective January 2012, amendments to FERPA regulations permit districts to limit the disclosure of directory information to certain parties or for certain purposes. Language has been added to the policy reflecting this. Also, scholarship eligibility has been added as a category of directory information to more readily share student eligibility information for University of Alaska and Alaska Performance Scholarships. The policy also clarifies, consistent with the 2012 FERPA amendments, that students can be required to wear or carry a student ID even if the parent has opted out of directory information disclosures. Finally, the Notes have been revised to set forth the disclosures required by Alaska law.

The Exhibit has been revised in two regards. First, to include scholarship eligibility as a category of directory information. Second, to specify whether or not a parent who opts out of directory information for post-secondary institutions would still like information sent to the Univ. of Alaska for scholarship purposes.

These policy amendments will require formal Board adoption.

Students

BP 5125.1 (a)

RELEASE OF DIRECTORY INFORMATION

Note: Directory information is information that is contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. 34 C.F.R. § 99.3. School officials may release directory information about a student without first obtaining parental consent, unless the parent objects. Districts may disclose this type of information only after giving notice to parents of the items of personal information the school has designated as directory. This notice must also inform parents of their right to refuse disclosure of directory information about their child. A school district is authorized to define the categories of directory information that it desires, if any, and the list found in the Family Educational Rights and Privacy Act is for illustration only. Accordingly, the District is not required to include all, or any, of these items as directory information, but may do so if desired. Effective January 2009, federal law amendments clarify that directory information may not include student social security numbers and may not normally include student identification numbers. Effective January 2012, school districts may implement a limited directory information policy in which they specify the parties or purposes for which the information is disclosed.

Directory information means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed.

Note: If boards eliminate name, address or telephone listing from their categories of directory information, military recruiters and postsecondary institutions still have the right, under federal law, to access these three items. Those boards that eliminate name, address or telephone listing need to give parents a second notice allowing them to withhold this information from military recruiters or postsecondary institutions.

The Superintendent may use student directory information in school publications and may authorize the release of directory information to representatives of the news media, prospective employers, post-secondary institutions, military recruiters, legislators, or nonprofit or other organizations. Directory information consists of the following: student's name, address, telephone number, electronic

mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, grade level, enrollment status, degrees, honors and awards received, scholarship eligibility, and most recent previous school attended.

(cf. 5128 – Alaska Performance Scholarship)

Directory information may not include a student's social security number or student identification number, unless the student identification number qualifies as an electronic identifier. An electronic personal identifier is an ID used by a student to gain access to student electronic services such as on-line registration, on-line grade reporting, or on-line courses. These electronic personal identifiers may be disclosed as directory information so long as the identifier cannot be used by itself to gain access to educational records but must be combined with a PIN or other access device.

Note: Certain disclosures are required of school districts by state or federal law. Release of this information should not be made if the parent or student objects to the disclosure. The District should include in its annual notice information regarding the following programs, including notice that student information may be submitted pursuant to the program, unless the parent objects. These programs include:

- By September 15 of each year, high schools ~~having a graduating class for that year~~ must provide to the Board of Regents of the University of Alaska a list of names and addresses of students in the graduating class who meet scholarship eligibility requirements for each scholarship program. ~~AS 14.43.930. Release of a student's name should not be made if the parent or student objects to the disclosure. The District should include in its annual notice information regarding the scholarship program, including notice that student's names may be submitted pursuant to the program, unless the parent objects. AS 14.43.930.~~
- By July 15 of each year, school districts must determine scholarship eligibility for each graduating senior for the Alaska Performance Scholarship. Districts must record the eligibility level on the student's permanent record and forward it to the Department of Education and Early Development. AS 14.03.110 and AS 14.43.810-849.
- By January 15 and July 15 of each year, school districts must provide student information to the director of the Alaska Challenge Youth Academy, a program operated by the Department of Military and Veterans' Affairs for the purpose of educating and training youth. Districts must provide the name, last known address, and dates of attendance of students between the ages of 15 and 18 who were enrolled but are no longer enrolled in the district, who have not obtained a diploma or GED, and for whom the district has no school transfer or graduation information. AS 14.30.745.

~~Note: On or before January 15 and July 15 of each year, school districts must provide student information to the director of the Alaska Challenge Youth Academy, a program operated by the Department of Military and Veterans' Affairs for the purpose of educating and training youth. Districts must provide the name, last known address, and dates of attendance of students between the ages of 15 and 18 who were enrolled but are no longer enrolled in the district, who have not obtained a diploma or GED, and for whom the district has no school transfer or graduation information. At the beginning of each school year, districts must provide written notice to parents or eligible students of this disclosure and provide an opportunity to object. AS 14.30.745.~~

The District, before making directory information available, shall give public notice at the beginning of each school year of the information which it has designated as directory information. This notice shall also identify all disclosures required by state and federal law, unless parents opt out of such disclosure. The District shall allow a reasonable period of time after such notice has been given for

parents/guardians to inform the District that any or all of the information designated should not be released. The District may provide parents with the ability to limit disclosure to specific parties or for specific purposes, as determined by the District.

Directory information shall not be released regarding any student whose parent/guardian notifies the District in writing that such information may not be disclosed. Directory information shall not be released for personal or commercial purposes. The *E 5125.1(b) Directory Information Parent Opt-Out Form* is provided for this purpose. Parents may not, by opting out of directory information, prevent a school from requiring a student to identify him or herself, or to wear or carry a student ID or badge.

The District may disclose directory information about former students without meeting the requirements of this section.

Legal Reference

ALASKA STATUTES

14.03.113 District determination of scholarship eligibility

14.30.745 Provision of student information to academy

14.43.930 Scholarship program information

14.43.810-849 Alaska Merit Scholarship Program

UNITED STATES CODE

20 U.S.C. § 1232g

No Child Left Behind Act, 20 U.S.C. § 7908 (2001)

USA Patriot Act, § 507, P.L. 107-56 (2001)

~~UNITED STATES CODE~~

~~20 U.S.C. § 1232g, 1415 (1994)~~

~~34 C.F.R. Pt. 99, 300.560 – 574 (1996)~~

ALASKA MUNICIPAL CODE

4 AAC 43/-1—900 Alaska Performance Scholarship Program

CODE OF FEDERAL REGULATIONS

34 C.F.R Pt 99 as amended, December 2011

Note: Under the Family Educational Rights and Privacy Act (“FERPA”), school districts may only disclose directory information without consent if they have given the parent or eligible student notice of the kinds of information the district designates as directory and an opportunity to opt out of directory information disclosures. The following is a sample notice, including an “opt out” form, which addresses both directory information and the disclosure of student information to military recruiters, colleges and Alaska scholarship programs. This form utilizes the Model Notice for Directory Information developed by the federal Family Policy Compliance Office.

NOTICE OF STUDENT DIRECTORY INFORMATION

The Kenai Peninsula Borough School District has adopted a policy designed to provide parents and students the full protection of their rights under the Family Educational Rights and Privacy Act of 1974, also known as FERPA. A copy of the school district’s policy is available online at http://www.kpbsd.k12.ak.us/school_board.aspx?id=368.

FERPA, with certain exceptions, requires your written consent prior to disclosure of personally identifiable information from your child’s education records. However, the 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 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 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 school districts receiving federal education funding to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the school district that they do not want their student’s information disclosed without their written consent.¹

[The District may also disclose to the State of Alaska or the University of Alaska your student’s eligibility for scholarship programs.](#)

Note: A school district may, but does not have to, include all the information listed below.

The KPBSD has designated the following information as directory information: student’s name, address, telephone ~~number~~listing, email address, photograph,

date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, grade level, enrollment status, degrees, honors and awards received, scholarship eligibility, and most recent previous educational agency or institution attended, student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's social security number, in whole or in part, cannot be used for this purpose.)

You have the right to refuse the release of student directory information. If you object to disclosure of some or all of this information, please complete and return the *E 5125.1(b) Directory Information Parent Opt-Out Form*.

If you have no objection to the use of student information, you do not need to take any action.

~~These laws are Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908), as amended, and 10 U.S.C. § 503(c), as amended.~~

~~5/3/10~~

Kenai Peninsula Borough School District

Directory Information Parent Opt-Out Form

I request that my student be exempted from release of student directory information including student's name, address, telephone number, email address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, grade level, enrollment status, degrees, honors and awards received, scholarship eligibility, and most recent previous school attended.

School Name:		Date of Birth:	
Student Name:		Student ID #:	

- Withhold Student Directory Information from representatives of the military.
- Withhold Student Directory Information from all other representatives (includes post-secondary educational institutions, prospective employers, legislators, news media, sport publications and non-profit or other organizations).
- Withhold my student's eligibility for University of Alaska scholarship programs.
- Withhold student names, addresses and phone numbers from Alaska Challenge Youth Academy.
- Withhold place of birth from Student Directory information released.
- Withhold student photographs or videotapes from District or school publications including yearbook, student newsletters, Parent/Student Handbook; on the Internet; or for use or broadcast by the news media.

This opt-out is valid until a new form is completed.

Parent Name (printed)

Parent Signature

Date

This form should be returned to the school and is only valid for information requested from the School District after the form is received and entered.

cc: School
Assistant Superintendent of Instruction

AASB Notes: CHALLENGING STUDENT RECORDS

Language has been deleted which reflected an appeal process for Alaska Performance Scholarship eligibility determinations. This deletion was made because an appeal process has been added to AR/E 5128, Alaska Performance Scholarship Program. The Legal Reference section has also been updated to remove references to statutes and regulations related to the Alaska Performance Scholarship.

Districts implementing the appeal process set forth in revised AR/E 5128, Alaska Performance Scholarship Program, should formally adopt the changes to this policy.

Students

BP 5125.2(a)

CHALLENGING STUDENT RECORDS

Note: The Family Educational Rights and Privacy Act (FERPA) requires schools districts to have procedures in place for parents and eligible students to challenge an education record as inaccurate, misleading, or in violation of the student's privacy rights. The requirements for that process are set forth in federal law, 34 CFR 99.20-.22. ~~Additionally, under the Alaska Performance Scholarship Program, districts must provide a student with an opportunity to request that the district correct an error in the district's determination of scholarship eligibility. AS 14.03.113. State law does not require that a specific process be utilized. The following policy utilizes the FERPA review and hearing procedures for both forms of challenge.~~

Request to Amend Records

The parent of a student or an eligible student who believes that information in a record collected, maintained or otherwise used by the District and pertaining to the student is inaccurate or misleading or violates the privacy or other rights of the student, may request that the District amend the record. Such requests shall be made in writing to the Superintendent.

~~(cf. 5138 – Alaska Performance Scholarship Program)
(cf. 5144 – Discipline)
(cf. 5144.1 – Suspension & Expulsion)
(cf. 5121 – Assessment/Evaluation of Student Achievement)~~

The Superintendent shall, within a reasonable period of time following such a request, decide whether to amend the record and shall inform the parent or the eligible student in writing of its decision. If the District decides not to amend the record, it shall advise the parent or eligible student of the right to a hearing to challenge the District's decision.

Request for a Hearing

If the District refuses to amend a student record after an appropriate written request is made by the parent or eligible student, the parent of the student or the eligible student may request a hearing ~~to challenge that decision.~~

Requests for a hearing shall be made within ~~a reasonable time~~ ten (10) days after notice of the District's decision is delivered to the parent or eligible student. The

request for a hearing must be in writing, and shall be made to the Superintendent.

Conduct of the Hearing

Hearings to challenge a District refusal to amend information pertaining to a student which is contained in a record collected, maintained or otherwise used by the District, shall be conducted before a hearing officer in accordance with the regulations established by the Alaska Department of Education.

Remedies

If, after hearing, the hearing officer determines that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the District shall amend the record.

If the decision of the hearing officer is that the information contained in the record is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the District shall so inform the parent or eligible student. The hearing officer's decision shall be final. However, the parent or eligible student may place a statement in the record commenting on the information in dispute, or describing why the parent or eligible student disagrees with the hearing officer's decision. This statement shall be accompanied by copy of the hearing officer's written decision, and shall be maintained with the record as long as the District maintains the contested portion of the record. If the District discloses the record, or the contested portion of the record to any person, the statement also must be disclosed.

Legal Reference:

ALASKA STATUTES:

AS 14.30.193 Due process hearing

AS 14.30.272 Procedural safeguards

AS 14.30.335 Eligibility for Federal funds

ALASKA REGULATIONS:

4 AAC 52.520 Parental request for amendment of records

4 AAC 52.550 Due process hearing

~~*4 AAC 52.560 Impartial hearing officer*~~

~~*4 AAC 52.570 Appeal to department*~~

FEDERAL STATUTES

~~*FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT, 20 U.S.C. 1232g*~~

FEDERAL REGULATIONS

~~*34 CFR 99.20-22*~~

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: 10/18/2004

AASB Notes: AP/AR 5128 ALASKA PERFORMANCE SCHOLARSHIP PROGRAM

DEED has made several changes to the Alaska Performance Scholarship Program. The policy has been revised to add optional language, as well as an explanatory Note, about a district's ability to sponsor a student who has been granted a grace period by the Commissioner for the purposes of scholarship eligibility. Sponsorship allows a graduated student to enroll in the district for the purpose of completing APS curriculum requirements.

The AR has been updated to reflect scholarship eligibility criteria for 2012, 2013, and 2014 graduates. These changes include the curriculum requirements necessary for a scholarship under one of two curriculum tracks: math and science, or social studies and language. The AR has also been amended to include information on the APS grace period, district sponsorship, and appeal procedures for challenges to the district's eligibility determinations. The appeal procedures are based on those utilized by the Anchorage School District. The policy change will require formal Board adoption.

E 5128 ALASKA PERFORMANCE SCHOLARSHIP PROGRAM

NEW EXHIBIT

An appeal form has been included for students to use when challenging APS eligibility determinations by the district. This form is adapted from DEED's sample Appeal Form for Public School Students.

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM BP 5128(a)

Comment [mya1]: KPBSD does not currently have this policy so it is new to KPBSD.

Note: Effective July 1, 2011, school districts must take certain steps to implement the Alaska Merit Scholarship Program, also referred to as the Alaska Performance Scholarship Program. This Program provides scholarships for high school graduates who are Alaska residents to attend a qualified postsecondary institution in the state. School districts must determine scholarship eligibility for each graduating senior and record the eligibility level on the student's permanent record. The record must then be forwarded to the Department of Education and Early Development.

The Board supports and encourages all students to obtain higher education through enrollment in college or career and technical programs upon graduation. The Board believes that institutions within the State of Alaska provide strong and varied opportunities to meet the needs and interests of graduating students and further believes that state school attendance helps support a skilled, local workforce. The district supports student participation in the Alaska Performance Scholarship Program so that students may have maximum opportunity to obtain higher education within the State of Alaska.

Students and parents/guardians will be notified at least annually of the opportunities available through the Alaska Performance Scholarship Program. This notice should include information about scholarship eligibility levels; coursework, testing, and grade point average ("GPA") requirements; residency requirements; and the participating colleges and career and technical programs.

The Superintendent or designee shall determine scholarship eligibility for graduating students and will record the appropriate eligibility level on each student's permanent academic record. Students will be provided an opportunity to challenge an error in the eligibility determination. The academic record of graduating students will be transmitted to the Alaska Department of Education and Early Development to facilitate the award of scholarships.

(cf. 5125.2 – Challenging Student Records)

Note: The Commissioner may grant a student a grace period to meet the curriculum requirements for a scholarship. The grace period gives a student one extra year after graduation to complete curriculum requirements. A grace period may be granted to a student where the necessary curriculum was not reasonably available because the student attended a small and remote high school. If a student is granted a grace period and elects not to enroll in a qualifying college or post-secondary program during that year, a school district may choose to "sponsor" the student. A sponsored student is allowed to enroll for the purpose of obtaining the missing curriculum requirement(s). A sponsored student may be included in the district's count for funding purposes so long as the student is

under age 20 at the time of enrollment. Funding will be provided based on each missing curriculum requirement. The following optional language is for those districts wishing to sponsor students.

The Board approves the sponsorship of district graduates who have been granted a grace period by the Commissioner to meet curriculum requirements for the Alaska Performance Scholarship Program. Sponsored students will be permitted to enroll for the purpose of obtaining missing curriculum requirements, so long as the sponsored student is under the age of twenty (20) at the time of enrollment.

Legal Reference:

ALASKA STATUTES

14.03.113 District determination of scholarship eligibility

14.43.810-.849 Alaska Merit Scholarship Program

ALASKA ADMINISTRATIVE CODE

4 AAC 43.010-.900 Alaska Performance Scholarship Program

Revised 3/2012

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM AR 5128(a)

Comment [mya2]: This is an existing AR for AASB; however, KPBSD does not have this AR

The Alaska Performance Scholarship Program provides scholarships for high school graduates who are Alaska residents to attend a qualified postsecondary institution in the State of Alaska. The district is required to determine student eligibility for the three levels of scholarships available. The district must then notify the Alaska Department of Education and Early Development of each qualifying student's eligibility.

Eligibility Determinations

The principal or designee of each high school shall determine scholarship eligibility for each graduating student by application of the following criteria.

A. Course Work Requirements

Note: The following curriculum requirements are in place for students graduating in 2012, 2013 and 2014. 2011. These requirements will be increased in later years to comply with AS 14.43.810. Specifically, scholarship eligibility will require either: A) four years each of math, language arts, science, and social studies, one year of which may be a foreign language, Alaska Native language, fine arts, or cultural heritage; or B) three years of math, four years of language arts and social studies, three years of science, and two years of a foreign language or an Alaska Native language.

To qualify for any of the three levels of award under the Alaska Performance Scholarship Program, students must meet state curriculum requirements for graduation plus additional coursework.

1. Graduation Requirements

- a) language arts four units of credit
- b) social studies three units of credit
- c) mathematics two units of credit
- d) science two units of credit
- e) health/physical education one unit of credit

2. Additional Requirements for Scholarship Eligibility

One additional unit of credit from any of the following:

- a) mathematics one unit of credit
- b) science one unit of credit
- c) mathematics and science one half unit of credit in each

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM (continued) AR 5128(b)

Beginning with 2012 graduates, the Alaska Performance Scholarship may be awarded based on a student's completion of either a math and science curriculum track, or a social studies and language curriculum track.

1. 2012 Curriculum Requirements

A. Achievement or Performance Opportunity Scholarships

To qualify for these scholarships, a student must meet the curriculum requirements in either math and science, or social studies and language:

Math and Science Curriculum:

- 1) Math and science courses:
 - a. 4 units of math credit and 3 of science OR
 - b. 3 units of math credit and 4 of science
- 2) Language arts – 4 units of credit
- 3) Social studies – 4 units of credit, one of which may be a foreign or Alaska Native language, fine arts, or cultural heritage

Social Studies and Language Curriculum:

- 1) Math – 3 units of credit
- 2) Science – 3 units of credit
- 3) Language arts – 4 units of credit
- 4) Social studies – 4 units of credit
- 5) Foreign, Alaska Native or American sign language – 1 unit of credit

B. Honors Scholarship

To qualify for the Honors Scholarship, the 2012 graduate must meet the 2013 curriculum requirements (below).

2. 2013 and 2014 Curriculum Requirements (and 2012 Honors Scholarship)

2013 and 2014 graduates must meet the following curriculum requirements to qualify for all scholarship levels (Achievement, Performance, and Honors):

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM (continued) AR 5128(c)

Math and Science Curriculum:

- 1) Math – 4 units of credit
- 2) Science – 4 units of credit
- 3) Language arts – 4 units of credit
- 4) Social studies – 4 units of credit, one of which may be a foreign or Alaska Native language, fine arts, or cultural heritage

Social Studies and Language Curriculum

- 1) Math – 3 units of credit
- 2) Science – 3 units of credit
- 3) Language arts – 4 units of credit
- 4) Social studies – 4 units of credit
- 5) Foreign, Alaska Native or American sign language – 2 units of credit

B. Grade Point Average and Standardized Examination Scores

In addition to the curriculum requirements above, students must meet certain GPA and standardized examination score requirements. It is the student's responsibility to provide proof of results achieved on one of the standardized examinations required for scholarship eligibility. GPA and test scores determine a student's level of eligibility for each of the three scholarships set forth below:

1. Alaska Performance Honors Scholarship

Grade Point Average: 3.5 or higher

Test Scores: ACT score of 25 or higher; or
SAT score of 1680 or higher; or
WorkKeys score of 5 or higher in each of the
following:

1. applied mathematics
2. reading for information
3. locating information

Note: The Alaska Performance Honors Scholarship has an award level of \$4,755.

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM (continued) AR 5128(d)

2. Alaska Performance Achievement Scholarship

Grade Point Average: 3.0 or higher

Test Scores: ACT score of 23 or higher; or
SAT score of 1560 or higher; or
WorkKeys score of 5 or higher in each of the
following:

1. applied mathematics
2. reading for information
3. locating information

Note: The Alaska Performance Achievement Scholarship has an award level of \$3,566.

3. Alaska Performance Opportunity Scholarship

Grade Point Average: 2.5 or higher

Test Scores: ACT score of 21 or higher; or
SAT score of 1450 or higher; or
WorkKeys score of 5 or higher in each of the
following:

1. applied mathematics
2. reading for information
3. locating information

Note: The Alaska Performance Opportunity Scholarship has an award level of \$2,378.

Note: A student who qualifies for one of the above scholarships using the WorkKeys examination must use the scholarship award in a career and technical program that results in the award of a certificate. 4 AAC 43.020.

Notice to Parents/Guardians of Eligibility Determination

The principal or designee shall provide written notice to all parents/guardians, or to students if 18 or older, of the eligibility determination. The notice should also explain how a parent/guardian or eligible student may challenge this determination.

Note: The AASB Model Policies provide for scholarship eligibility challenges to be handled through the procedures for Challenging Student Records found at BP 5125.2. Utilization of this specific process is not required and different procedures can be developed and utilized by a district. The district's notice to parents should include the appropriate procedures as adopted by the district.

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM (continued) AR 5128(e)

Permanent Record

Once eligibility levels are determined, the district will record the level of eligibility on each qualifying student's permanent record. No notation should be made for those students who are not eligible for a scholarship award.

Annual Transmittal of Records

No later than July 15 of each year, the district will transmit an electronic version of each graduating student's permanent record that describes the student's eligibility for the Alaska Performance Scholarship Program.

Appeal Procedures

The district provides the following appeal process for students who believe an error has been made regarding a student's eligibility for an Alaska Performance Scholarship. A student can request that the district review the determination of whether or not he or she is eligible or, if eligible, the level of scholarship available.

A. Appeal Form

To request an appeal, a student must complete the Alaska Performance Scholarship Appeal Form for Public School Students. [E 5128] The form requires:

1. Name, mailing address, and contact information;
2. Eligibility information in the form of official examination scores and an official transcript indicating courses taken and GPA;
3. A statement explaining why the student believes the eligibility determination is in error; and
4. All documents, papers, or other materials that support a reversal or modification of the eligibility determination.

Students who have questions about the form or require assistance should contact a counselor or principal at the student's high school.

Students must complete the Appeal Form and provide supporting documents as soon as possible after receiving notice of his or her eligibility determination. No appeals will be considered unless submitted within thirty (30) days of receiving the district's eligibility determination, absent unusual circumstances that prevented a timely appeal.

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM (continued) AR 5128(f)

B. Appeal Process

1. Student submits the completed Appeal Form and supporting documentation to [identify appropriate school official to process appeals].
2. The district will designate a reviewer to review and decide the appeal.
3. The reviewer will consider all information submitted and issue a determination of whether or not the student meets scholarship eligibility, and if eligible, the student's level of eligibility.
4. The reviewer's determination is the final decision of the district.
5. Notice of the district's decision will be sent to the student no later than thirty (30) days after the student submits a timely appeal.
6. If the reviewer determines that scholarship eligibility was incorrect, the district will notify the Alaska Performance Scholarship Program of the correct eligibility determination and revise the student's transcript to correctly identify APS eligibility.

Grace Period

The district should notify appropriate students about the availability of a grace period that may be granted by the Alaska Commissioner of Education. The Commissioner may grant a student a grace period to meet the curriculum requirements for a scholarship. The grace period gives a student one extra year after graduation to complete the curriculum requirements. During that year, the student is eligible for the scholarship.

To qualify for a grace period, a student must:

1. Apply using DEED's form *no later than 30 days following graduation*;
2. Have graduated in 2012;
3. Have attained the required assessment scores and GPA; and
4. Be unable to complete the curriculum requirements because of "circumstances outside the student's control." This includes the curriculum not being reasonably available because the student attended a small remote high school, but does not include attendance at a high school out of state.

Note: The following language is for those districts choosing to sponsor students who have been granted a grace period by the Commissioner. Districts are entitled to funding for sponsored students so long as they are under age 20 at the time of enrollment. Funding will be provided based on each missing curriculum requirement.

Students

ALASKA PERFORMANCE SCHOLARSHIP PROGRAM (continued) AR 5128(g)

Student Sponsorship

If a district graduate has been granted a grace period and elects not to enroll in a qualifying college or post-secondary program during that year, the school district may sponsor the student. A sponsored student will be allowed to enroll for the purpose of obtaining the missing curriculum requirements. A sponsored student will be included in the district's count for funding purposes so long as the student is under age 20 at the time of enrollment.

Added 2/11 Revised 3/2012



E 5128(a)

ALASKA PERFORMANCE SCHOLARSHIP (APS)
Appeal Form for Public School Students

Comment [mya3]: NEW EXHIBIT for both AASB and KPBSD.

AS 14.03.113. District determination of scholarship eligibility.

A district shall provide a student with an opportunity to request that the district correct an error in the eligibility determination. The following information is required for the school district to evaluate your appeal of the district's determination of eligibility for the APS scholarship. Complete this form and return it to your school district. Please print to ensure information is legible.

Last Name First Name M.I. DOB
Permanent Mailing Address City State
Zip Home Phone Cell Phone
Email

Did you meet the minimum test scores of: ACT 21, SAT 1450, or WorkKeys Level 5? Yes No

My ACT score is My SAT score is My WorkKeys score is My GPA is

Did you meet the course requirements? (Please review the Alaska Performance Scholarship eligibility criteria found on the next page of this form.) Yes No

Provide a concise statement identifying the reasons supporting a reversal or modification of the school district's eligibility determination. Note: Failure to meet APS requirements for reasons other than those allowed for under the statutes and regulations governing the APS does not entitle the applicant to a reversal or modification of eligibility. You may use a separate sheet of paper.

Provide documents, papers, or other materials that support a reversal or modification of the district's eligibility determination. This must include:

- An official ACT and/or SAT score report
WorkKeys score (if taken outside of the school district)
An official high school transcript

Student Signature Date

If you are unable to contact your school district office, you may contact:

Shari Paul, APS Program Coordinator
Alaska Department of Education & Early Development
P.O. Box 110500 Juneau, Alaska 99811-0500
Phone: 907.465.6535
shari.paul@alaska.gov



Alaska Performance Scholarship Eligibility Criteria

The Alaska Performance Scholarship is available to state residents who graduate from an Alaska high school (public, private, or home school), in or after 2011, who:

1. Complete a rigorous high school curriculum; and
2. Achieve required grade point averages (GPA); and
3. Achieve minimum college or career readiness test scores; and
4. Attend an eligible program at an institution located in Alaska; and
5. File a FAFSA by June 30¹.

Curriculum Requirements by Year of Graduation

Graduation in 2012		Graduation in 2013 and 2014	
Math and Science Option	Social Studies and Language Option	Math and Science Option	Social Studies and Language Option
All Scholarship Levels	All Scholarship Levels	All Scholarship Levels	All Scholarship Levels
Scholarship Levels 2 and 3	Scholarship Levels 2 and 3	Scholarship Levels	Scholarship Levels
3 units math and 4 units science	4 units language arts	4 units math	4 units language arts
OR	4 units social studies	4 units science	4 units social studies
4 units math and 3 units science	2 units of the same world language ²	4 units language arts	2 units of the same world language ²
AND	3 units math	4 units social studies ¹	3 units math
4 units language arts	3 units science		3 units science
4 units social studies ¹			

GPA and Test Score Requirements by Scholarship Level

Level 1 Up to \$4,755 per year	Level 2 Up to \$3,566 per year	Level 3 Up to \$2,378 per year
Collegiate & CTE³ Award high school GPA 3.5 ACT score of 25 or higher; or SAT score of 1680 or higher; Or CTE³ Award only high school GPA 3.5 WorkKeys score of 5 in Math, Reading, and Locating Information	Collegiate & CTE³ Award high school GPA 3.0 ACT score of 23 or higher; or SAT score of 1580 or higher; Or CTE³ Award only high school GPA 3.0 WorkKeys score of 5 in Math, Reading, and Locating Information	Collegiate & CTE³ Award high school GPA 2.5 ACT score of 21 or higher; or SAT score of 1450 or higher; Or CTE³ Award only high school GPA 2.5 WorkKeys score of 5 in Math, Reading, and Locating Information

For more information go to APS.alaska.gov

¹ Students electing the Math and Science Option may substitute a unit of foreign language, Alaska Native language, or American Sign Language, fine arts, or cultural heritage for one unit of social studies.
² For the purposes of APS eligibility American Sign, Alaska Native and foreign languages are all considered world languages.
³ A student may become eligible for a collegiate award or a career and technical education (CTE) award at varying levels. A student cannot receive both awards simultaneously. By qualifying with ACT and/or SAT scores, a student will be eligible to pursue either a collegiate or career and technical program. If qualifying solely with WorkKeys scores, a student will only be eligible for the CTE award. The CTE award can be used for attendance in a career and technical education certificate program, but not for a degree program. Either award can be used for an approved certificate program.

AASB Notes: CURRICULUM DEVELOPMENT AND EVALUATION

The Legal Reference section has been updated to remove 4 AAC 05.070, Program Planning and Evaluation. This regulation has been repealed by DEED.

Instruction

BP 6000(a)

CONCEPTS AND ROLES

The School Board believes that the District and community must work together to ensure that educational goals and objectives are relevant to the lives and future of our students. The Board shall adopt policies which define District philosophy and goals. The Superintendent shall provide for the development of District wide instructional objectives.

(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)

The Board recognizes the importance of planning, implementing and evaluating the instructional program and shall provide the resources necessary for ongoing review and improvement of the District curriculum.

(cf. 6141 - Curriculum Development and Evaluation)

In order to keep abreast of educational trends and changing student needs, the Board supports a continuing program of inservice education for certificated staff, the administration, and Board members.

(cf. 9240 - Board Development)

Note: United States Code, Title 20, Section 2728 and the Code of Federal Regulations, Title 34, Section 200.43 mandate districts receiving Title 1 funds to establish and implement a districtwide salary schedule and written policy ensuring the equivalent provision of staff, curriculum materials and instructional supplies among schools. Pursuant to the Code of Federal Regulations, Title 34, Section 298.23 recipients of Chapter 2 funds also must demonstrate that program services, equipment, materials and supplies are supplementary to the regular program.
--

The District shall provide comparable educational opportunities for all students. The Superintendent shall schedule teachers and classes so that there is a minimum variation in the student-teacher ratio from school to school at the beginning of each school year. He/she shall further ensure that the amount and quality of textbooks, instructional supplies and equipment are closely comparable in every District school and at each level.

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 6171 - Title I Programs)

Instruction in the core curriculum shall not be diminished when students receive supplementary services funded by special governmental programs.

The School Board

1. Articulates the District's educational philosophy and goals through Board policy and approves District wide instructional objectives which reinforce the District's philosophy and goals.
2. Adopts all curriculum and graduation requirements.
3. Determines the educational programs to be offered to the District's students.
4. Reviews the instructional program and evaluates the education received by students using data including results of State and District student assessments.

The Superintendent

1. Establishes procedures for the ongoing review, evaluation, and development of the District's curriculum.
2. Ensures the articulation of the District curriculum between educational levels.
3. Administers the District's educational program and reports to the Board on the accomplishment of District goals and objectives through testing and other types of appraisal.
4. Decides the general methods of instruction to be used.
5. Assigns instructors and schedules classes for all curricular offerings.

Legal Reference:

ALASKA STATUTES

14.03.060 *Elementary, junior high, and secondary schools*

14.03.090 ~~Partisan, s~~ *Sectarian or denominational doctrines prohibited*

14.08.111 *Duties (regional school boards)*

14.14.090 *Duties of school boards*

14.14.090 *Additional duties*

14.14.110 *Cooperation with other districts*

~~ALASKA ADMINISTRATIVE CODE~~

~~4 AAC 05.070 *Program planning and evaluation*~~

UNITED STATES CODE, TITLE 20

2728 (c) *Fiscal requirements/comparability of services*

2971 (b) *Federal funds supplementary*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.43 *Comparability of services requirements, ~~Title 1~~Chapter 1*

298.23 *Comparability of services requirements, Chapter 2*

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: 1/16/06

AASB Notes: HIGH SCHOOL GRADUATION QUALIFYING EXAM

The Legal Reference section has been amended to correct the citation to 4 AAC 06.755.

Instruction

BP 6146.3

HIGH SCHOOL GRADUATION QUALIFYING EXAM

Note: Effective February 1, 2004, a secondary student may not be issued a diploma unless he or she has passed the High School Graduation Qualifying Exam (“HSGQE”). The HSGQE tests student competency in three areas: reading, English, and math. There are three methods for a student to receive a diploma without having passed the HSGQE: through a waiver (*see* AR 6146.3); through an alternative assessment program for qualifying students with disabilities (*see* BP 6146.5); or through passage of a qualifying exam in a student’s prior state of enrollment (*see* BP/AR 6146.4). DEED has developed regulations that include criteria and procedures for local school boards to follow in using a waiver to grant a diploma to a student. Likewise, a special education student who does not achieve a passing score on the examination, with or without accommodation, is eligible for a diploma if the student successfully completes an alternative assessment program required by the IEP. The Department is charged with establishing uniform standards for an alternative assessment program.

The Board shall provide for a high school graduation qualifying exam of all secondary students in the areas of reading, English, and mathematics. The exam shall be administered in accordance with state law and regulations. A student who successfully completes the District’s graduation requirements shall be issued a diploma upon successful completion of the competency examination or reexamination. A diploma may also be issued to students with an approved waiver of the qualifying exam, to students successfully completing an alternative assessment program in accordance with state law, or to students who have successfully passed another state’s competency exit exam.

(cf. 5127 Graduation Ceremonies and Activities)

(cf. 6146.1 High School Graduation Requirements)

(cf. 6146.3 High School Graduation Qualifying Exam)

(cf. 6146.4 Reciprocity on Graduation Requirements)

(cf. 6146.5 Differential Requirements for Individuals with Exceptional Needs)

Note: Effective December 21, 2007, districts are required to provide a remediation program for students who have not passed one or more subtests of the HSGQE after the fall administration of the exam in the student’s 11th grade year. Remediation services to a student must begin no later than the start of the second semester of the student’s 11th grade year and are to continue as necessary for the student to pass all subtests of the HSGQE. 4 AAC 06.759.

The Board is committed to providing support and remediation to assist students in successful completion of the high school graduation qualifying exam. Additional instruction and study that targets the skills tested on the exam shall be provided to all students who, following the fall administration of the exam in the student’s 11th grade year, have not passed one or more portions of the exam.

Legal Reference:

ALASKA STATUTES

14.03.075 *Secondary Pupil Competency Testing*

ALASKA ADMINISTRATIVE CODE

4 AAC 06.~~075-755~~ High School Graduation Qualifying Exam

4 AAC 06.758 High School Graduation Qualifying Examination Results

4 AAC 06.759 High School Graduation Qualifying Examination Remediation

4 AAC 06.765 Test Security; Consequences of Breach

4 AAC 06.771 - .790 High School Graduation Qualifying Waivers and Appeals

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

11/03/2008

NOTIFICATION OF RIGHTS UNDER FERPA
FOR ELEMENTARY AND SECONDARY SCHOOLS

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 or designee 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. A copying fee may be charged.

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 or designee, 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 provide written consent before the school discloses personally identifiable information 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 outsourced services or functions that it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer 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.~~

3. The right to provide written consent before the school discloses personally identifiable information from 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) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees or who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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.

Other exceptions for disclosure without consent are detailed in FERPA and Board Policy and Administrative Regulation 5125.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or District to comply with the requirements of FERPA. A complaint may be filed with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

In addition, you are entitled to notice of the following disclosures of student records:

1. Upon request, the District discloses education records without consent to officials of another school district or an institution of post-secondary education where the student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.
2. By September 15 of each year, the District will provide to the University of Alaska a list of names and addresses of students in the graduating class who meet scholarship eligibility requirements for each scholarship program. Release of a student's name to the University of Alaska will not be made if the parent or eligible student objects. An objection should be made in writing to the assistant superintendent of instruction.

3. By July 15 of each year, the District will transmit to the Alaska Department of Education and Early Development an electronic version of each graduating student's permanent record that describes the student's eligibility for the Alaska Performance Scholarship Program. An objection should be made in writing to the assistant superintendent of instruction.
4. By January 15 and July 15 of each year, the District will provide to the Alaska Challenge Youth Academy, operated by the Department of Military and Veterans' Affairs, a report containing the name, address, and dates of attendance of prior students ages 15 through 18 who appear no longer enrolled in any educational institution and who have not received a diploma or GED. Release of a student's information to the Alaska Challenge Youth Academy will not be made if the parent or eligible student objects. An objection should be made in writing to the assistant superintendent of instruction.

| Revised ~~6/2011~~5/2012