

ANNUAL NOTIFICATION OF PARENTS AND STUDENTS' RIGHTS

Collaborative School Committee

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The Denver Public Schools presents this information in compliance with legislative requirements. We hope it will be helpful to you. Board of Education policies stated herein are subject to review and amendment. Copies of individual Board of Education policies are available in each Denver Public School and on the DPS web page: www.dpsk12.org – School Board - Policies. Should you have any questions regarding these matters, please contact your school principal, or The Welcome Center Telephone 720-423-3400 TTY-TDD 720-423-3741.

June 2011

Collaborative School Committee – Policy BDFH

Student Fees, Fines, and Charges

The Denver Public Schools (“DPS” or the “District”) Policy JQ, which may be examined in the Principal’s office, establishes fees and costs as follows:

- ❖ No charges for nonexpendable textbooks in the regular curriculum;
- ❖ Charges for actual cost of supplies that are above the basic requirements and/or are to be retained by the student*;
- ❖ Charges for interscholastic athletics*;
- ❖ Charges for interscholastic athletics physical examination which is required annually – parent/guardian responsibility;
- ❖ Charges for advance placement books and examinations;
- ❖ Charges for lost/damaged text and library books; and
- ❖ Other – See DPS Policy JQ.

No fees, fines, or charges shall be made to indigent students except for the actual costs of materials, which become the personal property of the student. An indigent student is one who qualifies for a free or reduced price lunch under the National Income Poverty Guidelines. The parent or guardian may contact the Principal’s office if the parent believes the child may qualify.

**These charges apply only if the student elects to participate in the activity.*

Family Education Rights and Privacy Act (“FERPA”)

DPS provides this annual notification to parents/guardians and eligible students regarding their rights under the FERPA. Student Records/Release of Information on Students (Policy JRA/JRC) is available in each Denver Public School and on the DPS web page: www.dpsk12.org – School Board - Policies. Complaints regarding violations of rights accorded parents or eligible students may be addressed to Denver Public Schools, Office of Student Records, 900 Grant Street, Denver, CO 80203 or the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave SW, Washington DC 20202-4605.

Rights: Federal and state laws protect the privacy of student education records. The law also gives parents and eligible students (age 18 and over) the right to inspect and review their records within 45 days of the day the District receives a request for access; to request that the school correct records that are found to be inaccurate or misleading; and to control the release of the record without parent/eligible student written consent except as permitted by law and District Policy JRA/JRC. Copies of student records will be provided to parents/eligible students upon request and the payment of costs will not exceed \$1.25 per page.

Procedures for Reviewing/Inspecting Records: Parents or eligible students should submit to the school principal or to the District’s student records office, if the student has graduated or withdrawn, a written request that identifies the record(s) they wish to inspect. The principal or other District personnel will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Individual school offices may be closed for much of the summer. Parents or eligible students needing school records maintained in the schools are encouraged to request copies prior to the end of the school year.

Procedures for Amending Records: Parents or eligible students who wish to ask the District to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the District decides not to amend the record as requested by the parent or eligible student, the District 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.

Disclosure Without Prior 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 District 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; an approved volunteer or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official is also a person or company with whom the District has contracted to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist), but who is under the direct control of the District and has agreed not to redistribute personally identifiable information.

The District will use reasonable methods to ensure that school officials obtain access to only those educational records in which they have a legitimate educational interest. School officials have a legitimate educational interest if the officials need to review an education record pursuant to their official duties for the purpose of: a) seeking information from a student's record in order to provide assistance to the parent or eligible student in the student's educational development; b) providing assistance in maintaining the records; c) conducting educational research approved by the administrative staff; or d) maintaining a safe and orderly environment.

Upon request, the District discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer; or to another agency in accordance with state law and District policy. Discipline information, including that from a previous school district, will be communicated to each teacher and counselor who has direct contact with the student; such person must maintain the confidentiality of the information and does not have the authority to communicate it to others.

Directory Information: The District may disclose "directory" information unless the parent/eligible student annually objects to such disclosure in writing to the Superintendent within two weeks of enrollment. Directory information includes: Name, date of birth, gender, participation in officially recognized activities, weight and height of athletes, degrees and awards received, dates of attendance and photographs.

Medical Information: The District may disclose personally identifiable information from an education record to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Protection of Pupil Rights Amendment ("PPRA")

PPRA affords parents certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- ***Consent*** before students are required to submit to a survey that contains one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education ("ED").
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- ***Receive notice and an opportunity to opt a student out of:***
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- ***Inspect upon request and before administration or use:***
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

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

The District will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The following is a list of the specific activities and surveys which require annual notification:

- ✓ Collection, disclosure, or use of personal information for marketing, sales or other distribution;
- ✓ Administration of any protected information survey not funded in whole or in part by ED; and

- ✓ Any non-emergency, invasive physical examination or screening as described above.

The District will directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted above and will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey. At the beginning of each school year, each school will notify parents of the approximate dates in which activities/surveys listed above are scheduled to occur.

For surveys and activities scheduled after the school year starts. Parents will be provided reasonable notification of the planned activities and surveys listed above and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

Release of Information to Military Recruiters

Upon request of recruiter, names, home addresses and telephone numbers of high school students will be released to military recruiters unless the parent/eligible student annually objects to such release in writing to the Superintendent. The recruiters may use this information only to provide information regarding the military services. Per Board policy JRA/JRC, the district will provide advance written notice to parents regarding this release of information. Included will be detailed instructions for denying the release of information. The parent or the student may request that the student's name, address, and telephone listing not be released without prior written parental consent.

Release of Information to Medicaid

As a Medicaid provider, DPS will access Medicaid eligibility information for students enrolled in DPS from Health Care Policy and Financing (HCPF). HCPF is the designated Medicaid agency in the state. Directory information of name, date of birth, and gender will be released to HCPF to verify Medicaid eligibility of students in the District. The description of health and health-related services delivered to Medicaid eligible students will be released to Medicaid and/or the District billing agent for proper administration of the program. A dated record of all transactions will be kept on file at the DPS School Medicaid office.

Title VI, IX, ADA, Section 504

DPS does not discriminate on the basis of race, color, creed, national origin or ancestry, gender, age, or disability in admission or access to, or treatment in, its educational programs or activities. There is a grievance procedure for discrimination concerns. Inquiries or complaints alleging discriminatory actions may be addressed to the U.S. Department of Education Office for Civil Rights, 1244 Speer Boulevard, Denver, CO 80204-3582 or to designated staff in DPS as follows: Executive Director of Student Services (900 Grant Street, Denver, CO 80203, Second Floor; Phone 720-423-3437 or TTY-TDD- 720-423-3741) for Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) and Americans with Disabilities Act, as amended (42 U.S.C. §12101 et seq.) concerns; Director Athletics (phone 720-423-6173) or the Executive Director of Human Resources (900 Grant Street, Denver, CO 80203, Fifth Floor; Phone 720-423-3973) for Title IX of the Education Amendments of 1972 (20 U.S.C. §1681) gender bias issues.

Reasonable accommodations will be provided upon request for persons with disabilities who wish to participate in District/school activities. Please contact the school/department at least three working days prior to the activity.

Identification of Student Race and Ethnicity

In order to comply with federal and state reporting requirements, DPS has identified each student by race or ethnicity, based on information supplied by the parent/guardian. The Board of Education, through a resolution passed in May 1975, requires that parents be notified annually that this identification has been made. Should you wish to know the recorded identification, which has been made for your child, you may secure this information by inquiring in person at your child's school. Should the identification be incorrect, the school staff will explain the procedures for correction.

Education of Students with Disabilities

Any qualified student with a disability who is a Denver resident, ages 3 through the semester during which the student reaches his or her 21st birthday, is eligible for a free, appropriate public education without cost to the student or parents/guardians except for those fees that are imposed on non-disabled students or their parents/guardians. DPS in partnership with other community agencies seeks to identify, evaluate, determine eligibility for early intervention services, and assist families in locating appropriate resources and service coordination within the community for children under age 3.

Any questions should be directed to the principal of the school the student attends or the Office of Special Education (720-423-3437). Parents/guardians have the right to refer their child for evaluation for possible Special Education services.

Student Discipline – Policy JK (also see policies JK-R Student Conduct and Discipline Procedures, and JKF Discipline of Students with Disabilities)

A school environment that is safe and orderly and free from unnecessary disruption is essential to achieving the district's mission and is the joint responsibility of students, staff, parents, and the community.

DPS seeks to achieve self-discipline on the part of every student by communicating student conduct rules, teaching and reinforcing appropriate behavior, and holding students accountable for their actions. Prevention will be emphasized and problems addressed immediately. A positive school climate is a necessary component of an effective disciplinary program.

The following actions are expressly forbidden, and may subject the student to disciplinary action:

1. Behavior on or off school property, which is detrimental to the welfare or safety of other students or school personnel including intentional or reckless behavior which creates a threat of physical harm to any other persons;
2. Behavior which interferes with a school's ability to provide educational opportunities to other students;
3. Causing a disruption on school property, in school vehicles, or at school events;
4. Bringing, carrying, using, or possessing a dangerous weapon, as defined in the policy;
5. Gang-related activities and such gang-related characteristics as colors, hand signs, graffiti, apparel, jewelry, notebooks, trademarks, and any other attributes denoting gang affiliation as determined and prohibited by school administrators from time to time;
6. Sale, distribution, possession, use, or being under the influence of alcohol, a drug, or controlled substances, on school property or in a school vehicle;
7. Fighting;
8. Assault;
9. Robbery;
10. Theft, larceny, or breaking and entering;
11. Use or possession of tobacco;
12. Making a knowingly false accusations of child abuse against a school employee;
13. Harassment;
14. Bullying;
15. Willful destruction or defacing of school property or property of others;
16. Use of obscenities or vulgarities;
17. Use of slurs, including but not limited to those based on disability, ethnicity, gender, race, religion or sexual orientation or gender identity;
18. Personal appearance or lack of hygiene that is disruptive;
19. Violation of school district or school dress codes or wearing apparel deemed disruptive;
20. Willful disobedience or open and persistent defiance of proper authority;
21. Assault upon, disorderly conduct or any criminal conduct directed toward the person or property of any school employee or adult volunteer;
22. Conduct on or off school premises which would constitute a crime of violence, if committed by an adult, regardless of whether other students or school personnel are involved;
23. Direct or implied threats against persons or property;

24. Repeatedly interferes with school's ability to provide educational opportunities to other students;
25. Declaration as a habitually disruptive student, i.e. a student who has been suspended from school three (3) or more times during a school year for misconduct which caused a material and substantial disruption that was initiated, willful, and overt on the part of the student; and that occurred in a classroom, in a school, on school grounds, in school vehicles, or at extracurricular activities or events.

Discipline procedures shall afford due process, be consistently and equally applied, and help create an atmosphere conducive to learning in each school and classroom. Notification of suspension by the principal or expulsion by the Superintendent will be made to parents according to policy and law. Parents have the right to appeal certain actions pursuant to state law and District Policy JK. Copies of Policy JK, Student Conduct and Discipline, are available in the principal's office or on the DPS web page: www.dpsk12.org – School Board – Policies.

No Child Left Behind – A Parents Right to Know

The parents of any student attending a school may request information regarding the professional qualifications of their student's classroom teacher(s). The information that can be requested includes:

- Whether the teacher has met state licensing criteria for the grade level(s) and subject area(s) taught;
- Whether the teacher is teaching under emergency or provisional status through which state licensing criteria have been waived;
- The undergraduate degree major of the teacher and any graduate certification or degree held by the teacher, including the field of discipline of the certification or degree; and
- If the child is provided services by paraprofessionals, their qualifications.

Parents who would like to request this information should call their child's school. The information will be mailed to them.

Parents have the right to be involved in the planning, review and improvement of the school wide/school improvement plans in Title I schools and in planning the use of the 1% set aside for parent involvement. Parents also have a right to a description of the school's curriculum and the assessments used to measure their child's progress towards required proficiency levels. Parents of students attending Title I schools designated as being on corrective action or restructuring have a right to be involved in the decisions made about the actions taken at the school level in response to those designations. Please contact your school to see how you can become involved.

Parents have a right to see, and access individual NCLB report card of their child(ren's) school. School report cards can be accessed

at <http://schoolforms.dpsk12.org/schoollist> or obtain a hardcopy by phoning 720-423-3054.

School of Choice

DPS "Choice" process allows students to apply to a Denver Public School that is not the school that serves their residence. This process also allows applications from students residing outside the city of Denver. There are three application periods: First Round, Second Round, and the Administrative Transfer period. First Round, for the following school year, runs the entire month of January. Second Round starts right after the end of the First Round and runs approximately 2 weeks into the next school year. The Administrative Transfer process runs for the rest of that school year.

In the First Round, when there are more applicants than space available, students are accepted based on the random number assigned to them and their priority code (i.e. already attending the school, returning to home area, sibling priority, Denver resident applicant (those living within the city/county boundaries), non-resident siblings and applicants. Where space is available, First Round applications will be approved.

During the Second Round, applications are accepted in the order in which they were received and approved based on space availability after the First Round applicants have been placed.

To complete an Administrative Transfer, an application must be completed and signed by both the sending and receiving principals before it is approved or denied by a district administrator. The application requires that the reason for transferring must be specified. An Administrative Transfer can be denied only for lack of space or program, discipline or safety reasons, an education reason, or because the request was submitted too late in the semester.

In addition, pursuant to the No Child Left Behind Act of 2001, DPS students residing in the neighborhood area of Title I schools that are not meeting annual progress targets have the option to attend other DPS schools with transportation

provided according to DPS policy (high school transportation is provided on RTD buses). Students are notified by mail if this option applies to them and applications are processed concurrent to Traditional Choice.

Sexual Harassment – Policy JBB/ Harassment Based on Race or Color, National Origin, Sexual Orientation, Gender Identity, Disability or Religion (student) – Policy JBBA

Every student within the School District shall have the opportunity to learn in an environment free from sexual harassment or harassment based on race or color, national origin, sexual orientation, gender identity, disability, or religion. Complaints of harassment will be promptly investigated in accordance with those respective Board policies.

School Publication Code – Policy JICEA

DPS has adopted a publications code which recognizes that students have the right to exercise freedom of speech and of the press, and no expression contained in a student publication, whether or not such publication is school-sponsored, will be subject to prior restraint except for certain types of expression identified in District Policy JICEA. Copies of Policy JICEA (School-Related Student Publications) and Policy JICEA-R (School Related Student Publications) are available on the DPS web page: www.dpsk12.org – School Board – Policies.

Sex Offender Information

Information regarding the procedures by which community members may obtain law enforcement information collected pursuant to the Colorado Sex Offender Registration Enforcement Act is available on line at: http://dcj.state.co.us/odvsom/Sex_Offender/SO_Pdfs/schoolresourceguideregistration.pdf

and on CDE’s web site at:

http://www.cde.state.co.us/cdeprevention/download/pdf/school_sex_offender_guide.pdf

In addition, copies of this guide are available upon request for a \$2.00 copying fee at the Division of Student Services. Community members may view the document for free while at this location and the document can be downloaded free of charge at the web sites listed above.

Parent’s Attendance Obligation

Every parent has an obligation pursuant to Colorado law to ensure that their child receives an adequate education and training. Accordingly, every parent of a child who is over the age of seven and under the age of seventeen has an obligation to ensure that such child attends a school.

Policy IHBEA- English as a Second Language

In keeping with the intention of the state of Colorado to offer educational opportunities to those children whose dominant language is other than English, the district shall provide suitable instructional programs for all such students in grades kindergarten through 12 in accordance with the requirements of state statutes and the Colorado Department of Education. Current practice codified 1993

Adopted: _____ date _____ of _____ manual _____ adoption

**LEGAL REFS.: C.R.S. 22-24-101 through 22-24-105 (English Language Proficiency Act)
1 CCR 301-10, Rules 2224-R-1 through 2224-R-3**

District Policy Guide for Students and Parents

Please refer to the DPS website for the most recent version of district policies at www.dpsk12.org/policies or ask to see a copy at your school.



**DENVER PUBLIC SCHOOLS
900 Grant Street – Denver Colorado 80203
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