

## Annual Notice to Parents

### 1. Equal Opportunity in Catalina Foothills School District (CFSD) Schools

Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 carry the notice requirement requiring the CFSD policy of nondiscrimination.

CFSD is committed to a policy of nondiscrimination in relation to sex (which includes a prohibition against sexual harassment as described in the District's policy concerning sexual harassment), sexual orientation, gender identity or expression, national origin, ethnicity, religion, creed, age, or disability.

### 2. Vocational Program Equal Opportunity

Pursuant to Section IV(O) of the March 21, 1979 Federal Register guideline for Civil Rights compliance in vocational education and CFSD's non-discrimination policy, the public is hereby notified that:

All vocational opportunities in the CFSD such as Engineering, Graphic Design, Bioscience, Business Management and Sports Medicine, will be offered without regard to race, gender, sexual orientation, age, national origin, handicap, religion, or creed. The lack of English language skills shall not be a barrier to participation. Program offerings and admission criteria are available in the CFSD High School Counseling Center.

### 3. District Compliance Officer

The person designated to coordinate Title IX complaints is:

Denise Bartlett  
Superintendent  
Catalina Foothills School District  
2101 East River Road  
Tucson, AZ 85718  
520-209-7500

### 4. District Section 504 Compliance Officer

The person designated to respond to Section 504 complaints is:

Erin Matyjasik  
Director of Special Services  
6085 North Kolb Road  
Tucson, AZ 85750  
520-209-8081

The Section 504 Compliance Officer's responsibilities include: overseeing all complaints of discrimination; identifying patterns of discrimination; and addressing systemic problems that arise during a review of complaints.

### 5. Students with Disabilities Notice

CFSD operates a public elementary and secondary program, and according to the Rehabilitation Act of 1973 (Section

504 Regulations) we must provide a free appropriate education to each qualified child with disabilities in the most normal setting appropriate. CFSD needs help in identifying and locating every qualified person with disabilities residing in the CFSD who is not receiving a public education.

If you know of a person with disabilities of school age (21 or under) who is not in school, please contact CFSD so we may comply with our duty under this law to provide an educational opportunity to the individual. The individual to contact is:

Erin Matyjasik  
Director of Special Services  
6085 North Kolb Road  
Tucson, AZ 85750  
520-209-8081

### 6. Absence from School

Arizona Revised Statute, Section 15-807, requires:

a. If a student in grades K-8 is absent from school without excuse or without notice to the school by the parent, the school in which the pupil is enrolled, within two hours after the first class in which the pupil is absent for students in grades K-6, and within five hours of an absence from class other than the student's first class of the day for students in grades 7 and 8, shall make a reasonable effort to promptly telephone and notify the parent of the pupil's absence from school.

b. On or before the enrollment of a pupil in grades K-8, CFSD shall notify the parents of their responsibility to authorize any absence of the pupil from school and to notify the school in which the pupil is enrolled in advance or at the time of any absence and that CFSD requires that at least one telephone number, if available, be given for purposes of this law. The school of enrollment shall be promptly notified of any change in the phone number.

### 7. Notification to Parents Regarding Confidentiality of Student Educational Records.

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. They are:

(1) The right to inspect and review the student's education records within 45 days of the day CFSD receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect.

The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to amend a record should write CFSD clearly identifying the part of the record they want changed and specify why it should be changed.

If CFSD decides not to amend the record as requested by the parent or eligible student, CFSD 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 consent to disclosures of personally identifiable information contained 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 CFSD 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 CFSD has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); 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 has a legitimate educational interest if the official needs

to review an education record in order to fulfill his or her professional responsibility.

Upon request, CFSD discloses education records without consent to the officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by CFSD to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

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

### 8. Directory Information

During the school year, CFSD staff members may compile nonconfidential student directory information. The District designates the following student information as directory information: The student's name, address; telephone listing; electronic mail address; photograph/image; date and place of birth; dates of attendance; grade level; enrollment status; most recently attended educational agency or institution; major field of study; degrees, honors, and awards received; participation in activities and sports; and weight and height of members of athletic teams.

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 a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings, publish yearbooks, or take school pictures. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Every Student Succeeds Act of 2015* (ESSA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want District designated directory information from your child's educational records to be disclosed without your prior written consent, you must notify the district in writing by completing the form, *Designation of Directory Information*, and return it to your child's

Principal by August 31<sup>st</sup>, or for new students, within three weeks of enrollment. If the District does not receive this notification within the prescribed time, it will be assumed that your permission is given to release your child's District designated directory information.

### 9. Notice of Availability of Teacher Resumes

Parents have the right to request information on the qualifications of their student's classroom teacher. This includes whether the teacher has met state qualifications and licensing criteria for the grades and subjects taught; whether the teacher is teaching under an emergency certificate; information on the teacher's degree major and the field discipline of the certification or degree; whether the child receives services from paraprofessionals and, if so, their qualifications.

### 10. Notification to Parents of Third Grade Promotion Requirement

Students must meet competency requirements for third grade promotion. Specifically, a student whose reading score on the state assessment indicates that s/he is does not demonstrate sufficient reading skills will not be promoted unless the student is exempt from mandatory retention in grade three or the student qualifies for an exemption. The governing board may promote a student from the third grade if a student who does not demonstrate sufficient reading skills if the student:

- a. is an English Language Learner or Limited English Proficient that have fewer than three years of English instruction; or
- b. is in the process of a special education referral or evaluation for placement in special education or a pupil who has been diagnosed as having a significant reading impairment, including dyslexia or a pupil who is a child with a disability as defined in section 15-761 if the pupil's individualized education program team and the pupil's parent or guardian agree that promotion is appropriate based on the pupil's individualized education program. "Dyslexia" as defined in section 15-701 means a brain-based learning difference that impairs a person's ability to read and spell, that is independent of intelligence and that typically causes a person to read at levels lower than expected; or
- c. has demonstrated or subsequently demonstrates sufficient reading skills

or adequate progress towards sufficient reading skill of the third-grade standards as evidenced through a collection of reading assessments approved by the State Board of Education, which includes an alternate standardized reading assessment approved by the State Board; or

d. receives intervention and remedial services during the summer or subsequent year and demonstrates sufficient reading progress.

District schools will provide a separate written notification to parents within three weeks of identifying students in kindergarten, and grades one, two and three with substantial reading deficiencies, which will include the following:

- a. Description of the student's specific individual needs.
- b. Description of currently provided reading services;
- c. Description of available supplemental instructional services and supporting programs designed to remediate reading deficiencies;
- d. Parental strategies to assist in student becoming proficient;
- e. Statement that the student will not be promoted if the student obtains a score on the reading portion of the state-wide assessment that demonstrates the student does not demonstrate sufficient reading skills unless the student is exempt from mandatory retention in grade three or the students qualifies for an exemption.
- f. The frequency with which the school district will provide timely updates and information to the parent on the pupil's progress toward reading proficiency.
- g. Description of the District's policy on mid-year promotion to a higher grade.

At the conclusion of third grade, the District shall provide an annual specific written notification to parents or legal guardians of a third-grade student who obtains a score of the reading portion of a state required assessment that does not demonstrate sufficient reading skills that they will not be promoted to fourth grade. The notification will include the same information as listed above.

### 11. Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding the District's 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 concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

- (1) Critical appraisals of another person with whom a pupil has a close relationship.
- (2) Gun or ammunition ownership.
- (3) Illegal, antisocial or self-incriminating behavior.
- (4) Income or other financial information.
- (5) Legally recognized privileged or analogous relationships, such as relationships with a lawyer, physician or member of the clergy.
- (6) Medical history or medical information.
- (7) Mental health history or mental health information.
- (8) Political affiliations, opinions or beliefs.
- (9) Pupil biometric information.
- (10) The quality of home interpersonal relationships.
- (11) Religious practices, affiliations or beliefs.
- (12) Self-sufficiency as it pertains to emergency, disaster and essential services interruption planning.
- (13) Sexual behavior or attitudes.
- (14) Voting history.

- *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.

CFSD has developed and adopted 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. CFSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. CFSD will also 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 below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. CFSD will make this notification to parents at the beginning of the school year if CFSD has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below 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. Following is a list of the specific activities and surveys covered under this requirement:

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

Parents who believe their rights have been violated may file a complaint with: Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-8520

