



**PROTECTION AND PRIVACY OF PUPIL RECORDS
PUBLIC NOTICE**

DaVinci Academy of Arts and Science gives notice to parents of students currently in attendance in the charter school, and eligible students currently in attendance, of their rights regarding pupil records.

1. Parents/legal guardians and eligible students are hereby informed that they have the following rights:
 - a. That a parent/legal guardian or eligible student has a right to inspect and review the student's education records within 45 days after the day the request for access is received by the charter school. A parent/legal guardian or eligible student should submit to the charter school a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent/legal guardian or eligible student will be notified of the time and place where the records may be inspected;
 - b. That the parent/legal guardian or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights. A parent/legal guardian or eligible student may ask the charter school to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent/legal guardian or eligible student believes to be inaccurate, misleading, or in violation of the privacy rights of the student, shall state the reason for this belief, and shall specify the correction the parent/legal guardian or eligible student wishes the charter school to make. The request shall be signed by the parent/legal guardian or eligible student. If the charter school decides not to amend the record as requested by the parent/legal guardian or eligible student, the charter school will notify the parent/legal guardian or eligible student of the decision and advise him or her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/legal guardian or eligible student when notified of the right to a hearing;
 - c. That the parent/legal guardian or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
 - d. That the charter school may disclose education records to other school officials within the charter school if the charter school has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the charter school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person

or company with whom the charter school has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer, or data practices compliance official); or a parent/legal guardian or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, and student health and welfare and the ability to respond to a request for educational data;

- e. That the charter school forwards education records on request to a school or post-secondary educational institution 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, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to 20 U.S.C. § 7917, part of the federal Every Student Succeeds Act [and data regarding a student's history of violent behavior,] and any disposition order which adjudicates the student as delinquent for committing an illegal act on charter school property and certain other illegal acts;
- f. That the parent/legal guardian or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the charter school to comply with the requirements of 20 U.S.C. § 1232g and the rules promulgated thereunder. The name and address of the office that administers the Family Education Rights and Privacy Act is:
 - Family Policy Compliance Office
 - U.S. Department of Education
 - 400 Maryland Avenue S.W.
 - Washington, D.C. 20202-8520
- g. That the parent or eligible student has a right to obtain a copy of the charter school's policy regarding the protection and privacy of pupil records; and
- h. That copies of the charter school's policy regarding the protection and privacy of school records are located on the school website.

- 2. DaVinci Academy of Arts and Science has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:
 - a. It classifies records as public, private, or confidential.
 - b. It establishes procedures and regulations to permit parents/legal guardians or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
 - c. It establishes procedures and regulations to allow parents/legal guardians or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights.

- d. It establishes procedures and regulations for access to and disclosure of education records.
 - e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.
- 3. Copies of the school board policy and accompanying procedures and regulations are available to parents/legal guardians and students upon written request to the Executive Director.
 - 4. Pursuant to applicable law, DaVinci Academy of Arts and Science gives notice to parents/legal guardians of students currently in attendance in the charter school, and eligible students currently in attendance in the charter school, of their rights regarding "directory information."

"Directory information" includes the following information relating to a student: the student's name; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; the most recent educational agency or institution attended by the student. "Directory information" also includes the name, address, and telephone number of the student's parent(s)/legal guardian(s). "Directory information" does not include a student's social security number or a student's identification number (ID) if the ID may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number, password, or other factor known or possessed only by the authorized user. It also does not include identifying information on a student's religion, race, color, social position, or nationality.

- 5. Pursuant to applicable law, DaVinci Academy of Arts and Science hereby gives notice to parents/legal guardians of students and eligible students in grades 11 and 12 of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The charter school must release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the charter school, if available, that may be released to military recruiters only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

Should the parent/legal guardian of a student or the eligible student so desire, any or all of the listed information will not be disclosed to military recruiting officers and post-secondary educational institutions without prior consent.

In order to refuse the release of this information without prior consent, the parent/legal guardian or eligible student must make a written request to the responsible authority, the Executive Director, by October each year. This written request must include the following information:

- (1) name of student and parent/legal guardian, as appropriate;
- (2) home address;
- (3) student's grade level;
- (4) school presently attended by student;
- (5) parent's/legal guardian's legal relationship to student, if applicable;
- (6) specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions without prior consent;
- (7) specific category or categories of directory information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.

Notice: Refusal to release the above information to military recruiting officers and post-secondary educational institutions alone does not affect the charter school's release of directory information to the public, including military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice also must be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers or post-secondary educational institutions, you also must notify the charter school that you do not want this directory information released to any member of the public, including military recruiting officers and post-secondary educational institutions.



[Note: The use of this form requesting information about specific activities or behavior is mandated by statute. In addition, the charter school is required to maintain such requests and a record of any release in the student's file.]

**JUVENILE JUSTICE SYSTEM
REQUEST FOR INFORMATION**

Family Educational Rights and Privacy Act
Minnesota Government Data Practices Act, Minn. Stat. § 13.32, Subds. 3(i) and 8(b)

DATE/TIME OF REQUEST: _____

TO: _____
(Executive Director of Charter School or Chief Administrative Officer of School)

FROM: _____
(Requester's Name/Agency)

STUDENT: _____

BASIS FOR REQUEST:

- _____ Juvenile delinquency investigation/prosecution
- _____ Child protection assessment/investigation
- _____ Investigation/filing of CHIPS or delinquency petition

REASON FOR REQUEST: (Requester must describe why information regarding existence of the data marked below is necessary to effectively serve the student)

RESPONSE TO REQUEST:

The school must indicate whether it has data on the student that document any activity or behavior marked by the requester.

INFORMATION REQUESTED: *(mark all that apply)* **RESPONSE PROVIDED:** *(yes / no)*

Indicate whether you have data that document the student's:

_____	Use of a controlled substance, alcohol, or tobacco	_____
_____	Assaultive or threatening conduct as defined in Minn. Stat. § 13.32, Subd. 8	_____
_____	Possession or use of weapons or look-alike weapons	_____
_____	Theft	_____
_____	Vandalism and damage to property	_____

CERTIFICATION: The undersigned certifies that he or she is a member of the juvenile justice system. The requested data are needed by the juvenile justice system so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent as required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that he or she understands that, by signing this request, he or she is subject to the penalties in Minn. Stat. § 13.09.

Signature/Title

[Note: A principal or chief administrative officer of a school who receives such a request to disclose information about a student to the juvenile justice system shall, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the principal or chief administrative officer within ten (10) days of receiving the certified notice that the parent or guardian objects to the disclosure, the principal or chief administrative officer must not disclose the information. The principal or chief administrative officer must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the principal or chief administrative officer must respond to the data request.]