

In order to verify, improve or maintain the security of the district's systems or network, system administrators or contracted third parties may conduct assessments that include attempts to violate the district's security's controls. Such assessments require express written authorization by the district clearly defining and limiting the scope of assessment.

Monitoring/Privacy

The Madera Unified School District reserves the right to monitor any material placed on its computers or transmitted over its network in order to determine whether specific uses of its computers, its network or the Internet are inappropriate. Users have no expectation of privacy and the district staff may monitor or examine all system activities to ensure proper use of the system. It is expected that users will employ appropriate etiquette and common sense. The district reserves the right to suspend or terminate the account of any user who misuses the account.

(Cf. Penal Code 632–Eavesdropping on or recording confidential communications)

FERPA/Personally Identifiable Information

Employees who have or may have access to personally identifiable student records shall adhere to all standards included in the Family Educational Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act (HIPPA), Children's Online Privacy Protection Act (COPPA), and other applicable laws and regulations, as they relate to the release of student information.

1. Employees may not disclose sensitive or personally identifiable information regarding students to individuals and/or parties not authorized to receive it. Authorization to disclose information of a student to individuals and/or parties must strictly adhere to regulations set forth in the FERPA.
2. Information contained in these records must be securely handled and stored according to district directives, rules and policies and if necessary destroyed in accordance with state information retention standards and archival policy.

Violations

Penalties for violating this policy may include:

- Suspension of account and network privileges.
- Appropriate school disciplinary action (for students).
- Appropriate employee disciplinary action (for employees).

Violations that include criminal activity will be reported to law enforcement.

Copyright

Users of the district's network and systems must follow copyright laws at all times. Students should refer all questions regarding copyright concerns to their teacher of a school administrator. The following examples are representative, not exhaustive. Users are prohibited from:

- Downloading, posting, reproducing or distributing music, photographs, video or other works in violation of applicable copyright laws.
- Engaging in plagiarism. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.

****Please see Acceptable Use Agreement (AUA) under the Forms Section.****

Course Selection and Career Counseling

Beginning with 7th-grade, parents/guardians have a right to be notified, so that they may participate in career counseling and course selection along with their children. A school counselor, teacher, instructor, administrator, or aide may not, on the basis of the sex of a pupil, offer vocational or school program guidance to a pupil of one sex that is different from that offered to a pupil of the opposite sex of the pupil counseled. Any school personnel acting in a career counseling capacity to a pupil shall affirmatively explore with the pupil the possibility of careers or courses leading to careers that are nontraditional for that pupil's sex. (Education Code §221.5(d))

Madera Unified School District Course Guide
www.courseguide.madera.k12.ca.us

Career Technical Education

Equal access to Career Technical Education courses is provided to all students, including handicapped and disadvantaged, in regard to recruitment, enrollment, and placement activities.

Savings for Higher Education

Parents/guardians are advised of the importance of investing for future college or university education for their children. Investment considerations should include United States Savings Bonds. Additionally, student financial aid and scholarship information is available at each of the high school. Please see your student's guidance counselor for more information. (Education Code 48980(d))

Physical Education Apparel

Pursuant to guidance issued by the California Department of Education and the Education Code, school sites may require students to wear standardized clothing for P.E., including clothing of a specific color and design suitable for general wear outside of school. This year's school site required P.E. uniform includes color and design shorts and color and design shirt, otherwise suitable to be worn outside of school and P.E.

Students may purchase a P.E. uniform compliant with these general design requirements through the school. All proceeds raised through the purchase of P.E. uniforms will remain at the school site. However, students are not required to purchase their P.E. uniform from the school, and students may wear existing clothes or purchase clothes from other sources compliant with the school site's P.E. uniform general color and design requirements. A student's grade will not be lowered or otherwise impacted upon any failure to wear compliant P.E. clothing if such failure was clearly beyond that student's control. Students unable to comply with the uniform requirements should inform their P.E. instructor. If a student doesn't bring compliant PE clothes to class "loaner uniforms" are available from the PE office.

Note, required "design elements" cannot include clothing that contains school site emblems, insignia, names, etc.; however, the set of P.E. uniforms sold by the school site may include such emblems, insignia, names, etc.

STUDENT RECORDS YOUR RIGHTS

Student Records: Access and Challenges

(Education Code 49063, 49069, 34 C.F.R. 99.7, BP 5125, AR 5125.3)

1. A parent or guardian has the right to inspect and review student records relating directly to their child during school hours within five (5) business days of his/her request.
2. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records which may include the following: cumulative files; special education; health; and discipline records.
3. A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

The parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child, which is alleged to be:

- a. Inaccurate.
- b. An unsubstantial personal conclusion or inference.
- c. A conclusion or inference outside of the observer's area of competence.

- d. Not based on the personal observation of a named person with the time and place of the observation.
- e. Misleading.
- f. In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent or designee shall order the correction, removal or destruction of the information. If the Superintendent or designee denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Education Code § 49070)

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision-making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

- 4. A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians. (Education Code § 49064)
- 5. School officers or employees having a legitimate educational interest, as well as persons identified in Education Code sections 49076 and 49076.5 and in the Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officers and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel). A Board member, a person or company with whom the District has contracted to perform a special service (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 "legitimate education interest" is one held by a school officer or employee whose duties and responsibilities create a reasonable need for access. (Education Code § 49063(d), 49076, 49076.5, 20U.S.C. § 1232g)
- 6. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.
- 7. No charge shall be made for the first two copies of a student's transcript or up to two verifications of records for any former student. All other requests for records shall be subject to a charge of 25 cents per page. The same charge may be assessed for copies of laws, regulations, policies and materials produced by the District in excess of copies of those same materials otherwise distributed free by the District.
- 8. Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232(g))
- 9. Parents may obtain a copy of the District's complete student records policy by contacting the Director of Student Services at 675-4500 ext. 235 or 236.

Rights Regarding Student Information and Records, Which Are Guaranteed Under Federal Law

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 5 days of the day the School 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 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.

- 2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

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 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 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 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, the School discloses education records, without prior consent, to 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 the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue
SW Washington, DC 20202-4605

Release of Directory Information (School Publications, Media, Schools, Business, Etc.)

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the Madera Unified School District, with certain exceptions, obtain your written consent prior to the 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 the type of information from your child's education records in certain school and/or district publications.

Examples include:

1. A playbill, showing your child's role in a drama production.
2. The annual yearbook.
3. Honor roll or other recognition lists.
4. Graduation programs.
5. 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 a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

Release of Directory Information (Armed Services Recruiters)

In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents/guardians have advised the district that they do not want their child's information disclosed without their prior written consent.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by the last day of school in September. You must submit your request to withhold directory information to the Office of Student Services using the appropriate district form. For further information, please call 559-675-4500, extension 235 or 236.

The district has designated the following information as directory information:

1. Name
2. Address*
3. Telephone Number*
4. Electronic Mail Address*
5. Photograph
6. Date and Place of Birth
7. Major Field of Study
8. Participation in officially recognized activities and sports
9. Weight and height of athletic team members
10. Dates of attendance
11. Degrees and awards received
12. Most recent previous school attended

*The district will not release the student's address, telephone or electronic mail address to media or non-educational institutions, businesses or agencies, excepting the armed forces of the United States without the express permission of the parent.

Transfer of Pupil Records

When a student transfers to another school district or to a private school, this District shall forward a copy of his/her mandatory permanent records as requested by the other district or private school. The original or a copy shall be retained permanently by this District. (C.C.R., Title 5, Section 438)

Mandatory interim records shall be sent upon request to other California Public School Districts. Mandatory interim records may also be sent to out-of-state or private schools requesting them. (Title 5, Section 438)

Permitted records may be sent to any other Public School District or Private School. (Title 5, Section 438)

All student records shall be updated before they are transferred. (Title 5, Section 438)

If the student transfers into the District from another school district or a private school, this District shall inform the parent of his/her, right to receive a copy of the permanent record received from the former school. The parent also shall be informed of his/her right to have a hearing in which to challenge the contents of that record. (Title 5, Section 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent. (Title 5 Section 438)

If the District is withholding grades, diploma or transcripts from the student because of his/her damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

Interpretation of Records

Qualified certificated personnel are available, when requested to interpret pupil records.

Pupil Rights Protection U.S. - Department of Education Programs

The following applies only to programs directly funded by the U.S. Department of Education:

The Protection of Pupil Rights Amendment (PPRA) is a federal law that affords certain rights to parents of minor students with regard to surveys that ask questions of a personal nature. Briefly, the law requires that schools obtain written consent from parents before minor students are required to participate in any U.S. Department of Education funded survey, analysis, or evaluation that reveals information concerning the following areas:

1. Political affiliations;
2. Mental and psychological problems potentially embarrassing to the student and his/her family;
3. Sex behavior and attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

A major amendment to PPRA gives parents more rights with regard to the surveying of minor students, the collection of information from students for marketing purposes, and certain non-emergency medical examinations. In addition, an eight category of information (*) was added to the law.

Parents or students, who believe their rights under PPRA may have been violated, may file a complaint with ED by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at (800) 877-8339 or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue,
SW Washington, D.C. 20202-4605

SPECIAL SERVICES DEPARTMENT

Child Find - Policies and Procedures

The Madera-Mariposa Special Education Local Plan Agency (SELPA), which is comprised of twelve districts and county offices, provides services for students with mild to moderate and moderate to severe disabilities from birth to 21 years of age. Madera Unified School District (MUSD), Special Services department provides special education services for eligible students whose needs require more support than can be provided in the general education classroom alone.

The infant-toddler program, Early Start, is operated by the Madera County Superintendent of Schools (MCSOS) and is most often a home-based program. This program serves children from birth to three years of age who have intensive needs. Eligible children are those with challenges including developmental delays, speech and language disabilities, visual or hearing impairments, genetic disorders, intellectual disabilities, emotional