



Important Parent Notification Information August 2023

The following are Important notifications Brighton Area Schools is obligated to communicate to parents at the beginning of each school year. Please review this information and if you should have any questions, please call the Superintendent's Office at 810/299-4040.

Notices include:

- Asbestos Containing Materials in School Buildings
- Civil Rights Compliance Officer
- Drug Free Environment/Prevention
- Family Educational Rights and Privacy Act
- Nondiscrimination in Education
- Parental Inspection of Instructional Materials
- Parental Right to Inspect Student Records
- Pesticide/Herbicide Notice Request
- School Property
- Search and Seizure
- Student Information and Records, Directory Information
- Student Person and Possessions
- Student Privacy and Parents Access to Information
- Section 504 of the Rehabilitation Act of 1973
- Water Quality Reports

Notice of Asbestos Containing Materials in School Buildings

Each school building within the Brighton Area Schools has been inspected for asbestos containing materials. A copy of the Building Inspection and Management Plan for each building is available in the Operations office. The plan may be inspected by the public and employees during normal business hours. A copy of the plan will be made available upon request for a nominal fee. This notice is published in compliance with the Asbestos Hazard Emergency Response Act.

Civil Rights Compliance Officer

Parents who wish to file a complaint or believe any of their Federal or State rights have been violated (including nondiscrimination under Title II, Title VI, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Americans with Disability Act, and Section 504 of the Rehabilitation Act of 1973) should contact Human Resources at 810/299-4090, or visit the Office of Human Resources at 125 S. Church Street, Room 201, during regular business hours (8 am - 4:30 pm).

Drug Free Environment/Prevention

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community. In accordance with the Federal and State law, the Board establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on District property, within the Drug-Free Zone, or at any District related event. Further, the Superintendent and his/her designee shall take the necessary steps to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) is intended to insure that student records are not disclosed to individuals, other than those who have a legitimate educational interest in the records, without prior consent of the parent, guardian or eligible student. If a parent, guardian or eligible student believes their rights under FERPA have been violated, they are to contact Human Resources at 810/299-4090 to file a complaint.

Nondiscrimination in Education

The Board of Education declares it to be the policy of this District to provide an equal opportunity for all students, regardless of gender, religion, race, color, national origin or ancestry, age, disability, marital status, and/or any other legally protected characteristic, to learn through the curriculum offered by the District. Any parent/guardian/student who believes their rights under this policy have been violated, should contact the Civil Rights Compliance Officer, Human Resources, 810/299-4090) for the District and register a formal complaint.

Parent Inspection of Instructional Materials

Parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials

in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

Parental Right to Inspect Student Records

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

The Board of Education is responsible for maintaining records of all students attending schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees.

Student records shall be available only to students and their parents, eligible students, and designated school officials and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a post-secondary institution.

In situations in which a student has both a custodial and a non-custodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students, parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under Section 152 of the Internal Revenue Code.

The district will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records.

The district shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained.

Parents and eligible students may request amendments to educational records if they believe them to be inaccurate, misleading, or otherwise in violation of the student's rights. All requests must be made in writing and submitted to the student's building administrator. The building administrator shall inform the parent of their decision to amend the records. In the event the parent or eligible student disagrees with the building administrator's decision, it may be appealed to the Director of Student Services. If it is denied at that level, the parent or eligible student may request a review by the Superintendent.

School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy as to prevent examination by a school official. The board directs the school principals to conduct a routine inspection at least annually of all such storage places. In the course of any search, students' privacy rights will be respected regarding any items that are not illegal or against Board policy.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the Superintendent has reasonable suspicion that illegal drugs or devices may be present in a school. This means of detection shall be used only to determine the presence of drugs in locker areas and other places in the school where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or other certified organizations and is not to be used to search students unless either a warrant or parental permission has been obtained.

Search and Seizure

The Board of Education has charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search school property such as lockers used by students or the person or property, including vehicles of a student, in accordance with the School Property Policy.

Section 504 of the Rehabilitation Act of 1973

This legislation that prohibits discrimination against handicapped individuals. Students who don't qualify as handicapped under special education law, including those with ADHD, may have rights under Section 504. They may meet the functional definition of handicapped under Section 504 and may require modifications to their regular education program in order to have equal education opportunities.

If you believe your child may qualify under Section 504, please contact your building administrator.

Water Quality Reports

The Michigan Safe Drinking Water Act 1976 PA 399, as amended, requires all K-12 and child care centers that are also non-transient, non-community, public water supplies to prepare and make available an Annual Water Quality Report.

The report for the following buildings are available for review in the Operations office: Hawkins, Hilton, Hornung, Spencer, Maltby and Scranton.

Student Person and Possessions

The Board recognizes that the privacy of students or his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board. Administrators are authorized to arrange for a breath-test instrument, according to the Superintendent's guidelines, for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal. S/He shall attempt to obtain the freely-offered consent of the student to the inspection; however, provided there is reasonable suspicion, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened.

The principal shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found and the disposition made of them; and any subsequent action taken. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

Student Privacy and Parental Access to Information

The Board of Education respects the privacy rights of parents and their children. No student shall be required as a part of the school program or the District's curriculum, without prior written notification of the student, (if an adult or an emancipated minor) or, if an un-emancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- political affiliations or beliefs of the student or his/her parents;
- mental or psychological problems of the student or his/her family;
- sex behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally-recognized privileged and analogous relationships, such as those of lawyers, physicians and ministers;
- religious practices, affiliations or beliefs of the student or his/her parents; or
- income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

Parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The

parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.

Pesticide/Herbicide Notice Request

Dear Parents/Guardians:

The Brighton Area Schools utilizes an Integrated Pest Management (IPM) approach to control pests. The IPM is a pest management system that uses all suitable techniques in a total pest management system with the intent of preventing pests from reaching unacceptable levels or to reduce an existing population to an acceptable level. Pest management techniques emphasize exclusion and biological controls. However, as with most pest control programs chemical controls may also be utilized. **Advanced notice of pesticide applications, other than baits or gel formulations, made to the school will be given at least 48 hours before the application. The two methods of notifications include: (1) posting at the main entrance of the building and (2) posting on Brighton Area Schools web site (www.brightonk12.com).**

In certain emergencies, such as an infestation of stinging insects, pesticides may be applied without prior notice to prevent injury to students, but following any such application notice will be provided by both of the above methods of notification. Students would not be allowed in the treated areas for at least four (4) hours as required by Public Act 451 of 1994 as amended.

In addition to the above information about applications, a parent or guardian may request in writing to receive written notification by U.S. Mail by completing the available form located at the District website www.brightonk12.com under Public Notices.

Student Directory Information and Records

The Family Educational Rights and Privacy Act of 1974 directs that we inform you of your right to review the educational records that we have which relate to you (student over 18 years of age) or your child. After you have reviewed any of these materials and you feel there is inaccurate, misleading or inappropriate data in these files about you (student over 18 years of age) or your child, you have the right to request a hearing to challenge and/or correct such information. Such a hearing request should be directed first to the building principal, and subsequently, to the Superintendent (810/299-4040) if you are not satisfied with the principal's decision.

Additionally, we will not release information about you (student over 18 years of age) or your child other than **Directory Information** without your permission. **Directory Information** is defined as: a student's name, address, listed phone number; date and place of birth; photograph or other electronic image; major field of study; participation in officially recognized activities and sports, height and weight if a member of an athletic team; dates of attendance; date of graduation; awards received; or any other information which would generally not be considered harmful or an invasion of privacy if disclosed.

Parents and students over the age of 18 who wish to prohibit this release of **Directory Information** or restrict the release only to military recruiters, must complete the form below and submit to your Building Principal by **Friday, September 29, 2023.**

If you have any questions regarding **Directory Information** or the form, please contact the Superintendent's Office at 810/299-4040.

Date: _____ School: _____

Dear Administrator of Brighton Area Schools:

I hereby request the following as it relates to **Directory Information** for (please complete a form for each student):

Print Name and Grade of Student

(Check all that apply)

___ not be released to any individual without my consent.

___ only be released to military recruiters (only includes name, address and telephone number).

(PRINT Name of Parent/Legal Guardian)

(SIGNATURE of Parent/Legal Guardian)

(PRINT Name of Student)

(SIGNATURE of Student)

(GRADE)