Birmingham
PUBLIC SCHOOLS

Annual Notifications
2026-2027 School Year

ANNUAL NOTIFICATIONS

Family Educational Rights and Privacy Act (FERPA)

Rights Under FERPA The federal law known as the Family Educational Rights and Privacy Act (FERPA) affords parents[1] and students who are 18 years of age or older ("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 30 days after the day the School District receives a request for access.

   Parents or eligible students who wish to inspect their education records should submit to the school principal a written request that identifies the records they wish to inspect. The principal or designee 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 education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

   Parents or eligible students who wish to ask the School District to amend their child's or their education record should submit a written request to the school principal, clearly identifying the part of the record they want changed and specifying why they believe it should be changed. If the School District decides not to amend the record as requested, the school will notify the parent(s) or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding hearing procedures will be provided to the parent or eligible student at the time they are notified of the right to a hearing.

3. The right to provide written consent before the School District discloses personally identifiable information (PII) from 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 includes a person employed by the School District as an administrator, teacher, or other person designated by the Board of Education. A school official also includes a liaison officer who, while not employed by the School District, may be granted access to student educational records (including video footage) at the direction and supervision of a school administrator. A school official also may include a contractor or consultant who, while not employed by the School District, performs an institutional service or function (such as design and maintenance of the School District's security camera system) for which the school would otherwise use its own employees and who is under the direct control of the School District with respect to the use and maintenance of personally identifiable information from student education records. A school official has a legitimate educational interest if the official needs to review the education record to fulfill his or her professional responsibilities.

4. The right to refuse to allow the disclosure of "directory information."

   With certain exceptions, the School District must obtain parent consent before disclosing personally identifiable information (PII) from the student's education records. However, the School District may

[1] The word "parents," when used in these Annual Notifications includes legal guardians and, where required by law, those acting in the place of parents.

disclose PII designated as “directory information” without written consent, unless parents have opted out pursuant to the School District’s procedures. The Board of Education has defined “directory information” as a student’s:

- Name;
- Address and telephone number;
- Photograph;
- Birth date and place of birth;
- Participation in School District related programs and extracurricular activities;
- Academic awards and honors;
- Height and weight, if a member of an athletic team;
- Honors and awards; and
- Dates of attendance and date of graduation.

In the event inconsistency exists between the Board of Education policy defining “directory information” and this annual notification, the policy prevails.

Eligible students and parents may refuse to allow the School District to disclose any or all of such directory information by providing written notification to the School District within thirty (30) days after receipt of this notice. Parents may submit written notification to the building principal of their child’s school and/or fill out the attached *FERPA Opt-Out Form*.

5. The right to file a complaint with the United States Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-8520

United States Armed Forces The School District is required to provide United States Armed Forces recruiters with at least the same access to student directory information as is provided to other entities offering educational or employment opportunities to those students as is permitted and/or required by law. "Armed Forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard. An eligible student or the parent may submit a signed, written direction to the School District that the student’s directory information should not be provided to United States Armed Forces recruiters, in which case, the information will not be disclosed.

Other Agencies or Institutions As permitted by FERPA, the School District may forward education records, including disciplinary records, without student or parental consent, to other agencies or institutions in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer and upon receipt of a request for a student’s school or education records.

Compliance The School District will comply with a legitimate request for access to education records within a reasonable period of time, but not more than 30 days after receiving the request or within a shorter

period as may be applicable by law to students with disabilities. The requesting party may be charged a processing fee for the information.

Notice of Asbestos in School Buildings

Each school building within the School District has been inspected for the presence of asbestos-containing materials as required by the Asbestos Hazard Emergency Response Act (AHERA). A copy of the Building Inspection and Management Plan for each building is available in the building's main office. The plans may be inspected by members of the public and by School District employees during normal business hours. A copy of the plan will be made available upon request for a nominal fee.

Pesticides

The Board of Education has adopted a policy to provide students and staff with an environment that is free of pests, pesticides, and harmful chemicals to the extent required by law. The Integrated Pest Management Program (IPM) includes routine inspections or surveys of all school facilities and various strategies to prevent pests from becoming a problem. Pesticides are used only as a last resort and parents will be notified prior to a pesticide application in a school building or on school grounds.

Drug-Free Environment/Protection

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, including alcohol and marijuana, at any time on School District property, within the Drug-Free Zone or at any School District-related event. Further, the Superintendent, or his/her designee, will 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.

Discrimination and Harassment

The District prohibits discrimination or harassment, in any program or activity that it operates, on the basis of race, color, national origin, religion, sex (including sexual orientation and gender identity/expression), marital status, pregnancy status, genetic information, disability, age, or any other basis prohibited by law. The Board of Education has adopted a Discrimination and Harassment Policy which prohibits all forms of harassment and discrimination within the School District. Any person who believes that they have been the victim of discrimination may seek resolution of their complaint through the procedures that have been established by the School District. A person wishing to pursue a complaint may also contact the School District's Civil Rights Compliance Officer, (the [Assistant Superintendent of Human Resources]) at [248-203-3032 and ssmith@birmingham.k12.mi.us, or visit the human resources offices at 31301 Evergreen Rd., Beverly Hills, MI, 48025. Individuals may report concerns or questions about sex discrimination to the Title IX Coordinator. The notice of nondiscrimination is located at https://policies.sparqdata.com/millerjohnson/browse/birminghamset/birmingham/z20000001.

McKinney-Vento Homeless Assistance Act

The School District, in accordance with the McKinney-Vento Homeless Assistance Act (Act), will ensure that homeless children and youth in transition have access to a free and appropriate public education, including preschool, and be given a full opportunity to participate in state and District-wide assessments and accountability systems. Under the Act, homeless children are those children who lack a fixed, regular, and adequate nighttime residence. This includes children and youth who are:

- Sharing the housing of other people due to loss of housing, economic hardship, or a similar reason;
- Living in motels, hotels, trailer parks, or campgrounds due to the lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Abandoned in hospitals;
- Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
- Living in a migratory situation and who qualify as homeless because of living circumstances as described above.

The Board of Education has designated the Director of Enrollment as the School District's Coordinator under the Homeless Assistance Act. For questions or assistance, please contact the Director of Enrollment at 248-203-3000 or visit the enrollment department] at 31301 Evergreen Rd., Beverly Hills, MI, 48025 during regular business hours (9:00 a.m. – 4:00 p.m.).

Parental Inspection of Instructional Materials

Parents have the right to inspect, upon request, any instructional material used as part of the School District's educational curriculum. Parents will be provided access to instructional materials 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.

School Property

The Board acknowledges the need for a reasonable degree of in-school storage of student possessions and will provide storage places, including desks and lockers, for that purpose. Where lockers are provided, students may lock them against incursion by other students, but lockers remain School District property. Students do not have a reasonable expectation of privacy with respect to School District personnel or their designees in lockers or other in-school storage places provided by the School District.

Search and Seizure

The Board authorizes the use of canines trained in detecting the presence of drugs or devices. Canines are used to determine the presence of drugs in locker areas and other places where such substances may be concealed. Canine detection is usually conducted in collaboration with law enforcement authorities or other certified organizations and is not used to search individual students without legally sufficient suspicion, or unless a warrant or parental permission has been obtained.

School authorities are authorized to take reasonable steps to safeguard the safety and well-being of the students by, among other things, implementing the School District's Student Code of Conduct. Within the discharge of their responsibilities, School District personnel may search students, student property, and school property in the manner permitted by law.

Special Education and Section 504

The School District is required, by law, to identify, locate, and evaluate all children with disabilities, including children with disabilities attending private schools located within the School District, as well as homeless children. The process of locating, identifying, and evaluating children with disabilities is known as Child Find.

Child Find extends both to children who may be eligible for special education under the federal Individuals with Disabilities Education Act (IDEA) and those who may be eligible under Section 504 of the Rehabilitation Act of 1973 (Section 504).

If you believe your child may qualify under either the IDEA or Section 504, please contact the District's Director of Special Services and/or Section 504 Coordinator.

Personal Curriculum

The Personal Curriculum (PC) is a Michigan Department of Education (MDE) endorsed process, permitting modification of specific credit requirements and/or content expectations based on the individual learning needs of a student. It is designed to serve students who want to accelerate or go beyond the Michigan Merit Curriculum (MMC) requirements and students who need to individualize learning requirements to meet the MMC requirements. For more information from MDE about personal curriculums, please click here. To the extent required by law, the School District will grant all requests for personal curriculums.

Student Privacy and Parental Access to Information

Under the federal Protection of Pupil Rights Amendment (PPRA) and School District policy, parent consent is required before a student may be 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:

- Political affiliations or beliefs of the student or his/her parents;
- Mental or psychological problems of the student or his/her family;
- Sexual behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom students have close family relationships;
- Legally recognized privileged relationships, such as with lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or his/her parents; or
- Income, other than as required by law to determine program eligibility.

Parents have the right to receive notice and an opportunity to opt a student out of any protected information survey, regardless of funding, and any activities involving the collection, disclosure, or use of student information for marketing purposes ("marketing surveys") or to sell or otherwise distribute the information to others (unless used for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions).

Parents have the right to inspect, upon request and before administration or use, protected information and marketing surveys created by a third party. The parent will be given access to the survey within a reasonable period of time after the request is received by the building principal.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-8520

Title I Funds: Parent Involvement

Schools within Birmingham Public Schools receive Title I funding. In accordance with law, the Board of Education has adopted a parent involvement policy (also known as a parental and family engagement policy). The School District is committed to establishing and maintaining positive relationships with families and the community. To that end, the School District will provide a variety of opportunities for families and other members of the community to become involved in children's education.

Parents may request information regarding the professional qualifications of the student's classroom teachers in writing submitted to Mrs. Susan Smith, Assistant Superintendent of Human Resources. The request may include:

- Whether the teacher has met Michigan qualification and licensing criteria for the grade levels and subject areas in which s/he provides instruction;
- Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived;
- The teacher's baccalaureate degree(s), major, any other graduate certification or degree(s) held, and the field of discipline of the certification or degree; and
- Whether the student is provided services by a paraprofessional and, if so, the paraprofessional's qualifications.

Programs for English Language Learner Students

Parents of limited English proficient (LEP) students participating in a language instruction program will be notified, no later than 30 days after the beginning of the school year, of the following:

- Placement and reason why their child was identified as LEP;
- The student's academic achievement level and level of English proficiency (including method of measurement);
- The methods used for language instruction;
- How the language program will meet the student's instructional needs;

- How the program will help the child to learn English and meet the academic standards required for promotion or graduation;
- The exit requirements for the language program; and
- An explanation of parental rights, including the parent's right to enroll or remove a child from the language instruction program.

Child Nutrition Program

The School District participates in the National School Lunch Program, School Breakfast Program, and Special Milk Program. The participation policy for families unable to pay the full price of meals served under the School Lunch Program may be found in the office of each school building, as well as in the School District's main office. The corresponding policy and/or administrative regulation may be reviewed by any interested party and can be found by visiting https://www.birmingham.k12.mi.us/programs-services/food-services.

To apply for reduced-price or full-price meals at any time during the school year, please complete the attached application or visit, https://www.birmingham.k12.mi.us/programs-services/food-services to fill out an application and submit it to Pattie Guck, pguck@birmingham.k12.mi.us. Please be sure to include all required information; the School District cannot approve incomplete applications. Households receiving benefits from SNAP, FDPIR, and TANF may submit an application which contains only each Student's name, appropriate SNAP or TANF case number, or FDPIR case number or other FDPIR identifier, and the signature of an adult household member.

Students are eligible for reduced-price or full-priced meals during the 2026-2027 school year (July 1, 2026 to June 30, 2027) if their households receive SNAP, FDPIR, or TANF, or if the total household income falls at or below the following:

Reduced-Price Meals

Household Size	Annual	Monthly	Twice Per Month	Every Two Weeks	Weekly
1	$29,526	$2,461	$1,231	$1,136	$568
2	$40,034	$3,337	$1,669	$1,540	$770
3	$50,542	$4,212	$2,106	$1,944	$972
4	$61,050	$5,088	$2,544	$2,349	$1,175
5	$71,558	$5,964	$2,982	$2,753	$1,377
6	$82,066	$6,839	$3,420	$3,157	$1,579
7	$92,574	$7,715	$3,858	$3,561	$1,781
8	$103,082	$8,591	$4,296	$3,965	$1,983
For each add'l family member, add . . .	$10,508	$876	$438	$405	$203

Students whose parents become unemployed during the school year are eligible for reduced-price or full-price meals during the period of unemployment, provided the household income during that period is within the income eligibility range. Students in households participating in WIC may be eligible for reduced-price

or full-price meals. Please fill out an application for eligibility determination. Head Start enrollees and foster, homeless, migrant, and runaway children are categorically eligible for free meals. Please contact your student's school for additional information. Any information included on the application may be verified by the School District at any time.

If you disagree with the School District's decision about your application, you may ask for a hearing by contacting business services at kjen@birmingham.k12.mi.us.

In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age or disability.

Wellness Policy

The School District is committed to creating a school environment that enhances lifelong wellness practices. As required by law, the Board has adopted a Wellness Policy, which is periodically reviewed. The Board's policies and/or administrative regulations can be found at: https://policies.sparqdata.com/millerjohnson/browse/birminghamset/birmingham/z20000017/searchresultlist/Search-1 .

Physical Examinations and Screenings

The School District does not administer to students any non-emergency, physically invasive examinations or screenings as a condition of attendance. Should this practice change, the School District will notify parents in advance of such examinations/screenings and provide parents an opportunity to opt their student out of participation.

*A non-emergency, physically invasive examination/screening *does not* include hearing, vision, or scoliosis screenings; any physical exam or screening permitted or required under State law; or any physical exam or screening necessary to protect the immediate health and safety of a student.

Firearms and Other Weapons

As required by law, the School District's website includes the Michigan Department of Health and Human Services' informational notice on the safe storage of firearms. This information is available in English, Spanish, and Arabic.

FERPA OPT-OUT FORM

Birmingham Public Schools
2026-2027 School Year

Pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA) and Section 1136 of the Revised School Code, MCL 380.1136, a student's education records and the personally identifiable information contained therein are maintained as confidential. Except for a limited number of circumstances permitted by law, a student's education records will not be released to a third party without the parent's or student's (if the student is over the age of 18) prior written consent.

One of these exceptions allows schools to release a student's "directory information" without obtaining the prior consent of the parent or student. "Directory information" is defined as:

- A student's name, address, and telephone number;
- A student's photograph;
- A student's birth date and place of birth;
- A student's participation in School District related programs and extracurricular activities;
- A student's academic awards and honors;
- A student's height and weight, if a member of an athletic team;
- A student's honors and awards; and
- A student's dates of attendance and date of graduation.
- The School District has compiled a list of typical instances under which a student's directory information is likely to be used, including:
    - Name;
    - Address and telephone number;
    - Photograph;
    - Birth date and place of birth;
    - Participation in School District related programs and extracurricular activities;
    - Academic awards and honors;
    - Height and weight, if a member of an athletic team;
    - Honors and awards; and
    - Dates of attendance and date of graduation.
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. If you do not want the School District to release your or your student's directory information, you may choose to "opt-out" of this FERPA exception by filling out and submitting this form to the student's building principal.

I request the School District withhold the above-referenced "directory information." I understand that by submitting this form, this information cannot be released to third parties without my written consent or unless the School District is required by law or permitted under FERPA to release such information without my prior written consent. I further understand that if directory information is released prior to the School District receiving this

opt-out request, the School District may not be able to stop the disclosure of my directory information.

_____
Name of Student

_____ _____
Name of Parent/Student Signing Form Signature

_____
Date