Privacy and Protection of Confidential Student Information

(Hearing and Complaint Procedures)

Contract breach by school service contract provider

Within a reasonable amount of time after the district determines that a school service contract provider has committed a material breach of its contract with the district, and that such material breach involves the misuse or unauthorized release of student PII, the Board shall make a decision regarding whether to terminate the district's contract with the school service contract provider in accordance with the following procedure.

1. The district shall notify the school service contract provider of the basis for its determination that the school service contract provider has committed a material breach of the contract and shall inform the school service contract provider of the meeting date that the Board plans to discuss the material breach.

2. Prior to the Board meeting, the school service contract provider may submit a written response to the district regarding the material breach.

3. The Board shall discuss the nature of the material breach at a regular or special meeting.

4. At the Board meeting, a district representative shall first be entitled to present testimony or other evidence regarding the district's findings of a material breach. The school service contract provider shall then have an opportunity to respond by presenting testimony or other evidence. If the school service contract provider is unable to attend the meeting, the Board shall consider any written response that the school service contract provider submitted to the district.

5. If members of the public wish to speak to the Board regarding the material breach, they shall be allowed to do so, in accordance with the Board's policy on public participation at Board meetings.

6. The Board shall decide whether to terminate the contract with the school service contract provider within 30 days of the Board meeting and shall notify the school service contract provider of its decision. The Board's decision shall be final.

Parent/guardian complaints

In accordance with the accompanying policy, the parent/guardian of a district student may file a written complaint with the Superintendent if the parent/guardian believes

the district has failed to comply with the Student Data Transparency and Security Act (the Act).

1. The parent/guardian's complaint shall state with specificity each of the Act's requirements that the parent/guardian believes the district has violated and its impact on his or her child.

2. The Superintendent or designee shall respond to the parent/guardian's written complaint within 30 calendar days of receiving the complaint, or first board meeting following the 30 calendar days.

3. Within 10 calendar days of receipt of the district's response, the parent/guardian may appeal to the Board. Such appeal must be in writing and submitted to the Superintendent.

4. The Board shall review the parent's complaint and the district's response at a regular or special meeting. A district representative and the parent/guardian may make brief statements to the Board, but no new evidence or claims may be presented. The Board may choose to conduct the appeal in executive session, to the extent permitted by law.

5. The Board shall make a determination regarding the parent/guardian's complaint that the district failed to comply with the Act within 60 days of the Board meeting. The decision of the Board shall be final.

6. This procedure shall not apply to parent/guardian concerns with his or her child's education records. If the parent/guardian files a complaint regarding his or her child's education records, the district shall follow its procedures governing access to and review of student education records, in accordance with FERPA, applicable state law and Board policy.

Governing law and Board policy

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right. The complaint and hearing procedures described in this regulation shall apply, unless the context otherwise requires and/or unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts any of these procedures, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

Adopted: May 17, 2017