

## Equal Educational Opportunity

As a matter of commitment to and compliance with Federal and State anti-discrimination laws, and DOE Policy, the Hawaii State Department of Education issues this informational brochure to inform parents guardians and students that discrimination because of a student's race, color, national origin (including persons with limited English proficiency), disability, sex, age, and/or religion in any educational program, service, or activity conducted by the department is prohibited.

In 2008, the BOE adopted BOE Policy #4211 – Anti-Harassment, Anti-Bullying, and Anti-Discrimination Against Student(s) by Employees.

In addition to the above, the policy strictly prohibits any form of harassment and/or bullying because of gender identity and expression, socio-economic status, physical appearance and characteristic, and sexual orientation.

A student who believes that he/she is or was harassed, bullied, and/or discriminated against based on the above classes is encouraged to immediately inform his or her teacher or administrator, or contact the DOE's Civil Rights Compliance Office (CRCO) staff. Documentation, including witness names and contact information, as well as other relevant information should be provided with the complaint.

Administrators shall forward complaints directly to the CRCO. The CRCO will be responsible for conducting investigations into possible allegations of harassment, bullying, and/or discrimination against students by employees under this policy. Following an investigation by the CRCO, if there is a violation of BOE Policy #4211 and/or misconduct, administrators will take necessary disciplinary action, in line with collective bargaining agreements and other rules, to ensure that the inappropriate conduct stops.

To file a complaint, you may complete a complaint form that can be found on the DOE's website at <http://doe.k12.hi.us>, contact your school's principal, or contact the DOE's CRCO at 808.586.3322, or via relay. Complaints may be sent by facsimile to 808.586.3331, or through the U.S. Mail to P.O. Box 2360, Honolulu, Hawaii 96804.

The Department of Education is committed to providing equal opportunity in education to all of Hawaii's students.

*For more information please contact*

**OFFICE OF THE SUPERINTENDENT/CIVIL RIGHTS COMPLIANCE OFFICE**

DEPARTMENT OF EDUCATION • STATE OF HAWAII

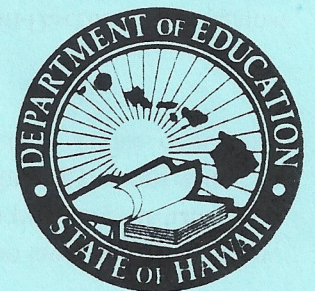
1390 MILLER STREET • HONOLULU, HAWAII 96813 • TEL: (808) 586-3322, or via relay



*This information is also available in the languages below. please contact your school's Principal for a copy.*

Hawaiian	Ua 'unuhi 'ia kēia palapala nei ma ka olelo Hawaii. Oluolu e kahea, aiola e noi i ka po'okumu o kou kula no kekahi kope o kēia mau palapala nei.
Samoaan	O lenei tusi o lo'o maua i le gagana Samoa. Fa'amolemole fa'afeso'ota'i le pule o la outou a'oga mo se kopi.
Ilokano	Adda met kastoy a pagbasaan a naisurat iti Ilokano. No kayatyo ti maaddaan iti kopia, kasaritayo ti prinsipal ti eskuelayo.
Tagalog	Ang babasahing ito ay nasulat din sa Tagalog. Kung gusto ninyong magkaroon ng kopya, kausapin ang prinsipal ng inyong eskuwelahan.
Spanish	El folleto está disponible en español. Póngase en contacto con el director de la escuela para obtener una copia.
Tongan	Oku ma'u 'a e tohi ni 'i he lea faka-Tonga. Kataki fetu'utaki ki ho'o pule ako ki ha'o tatau.
Chuukese	Ei Toropwe me wor non fóosun Chuuk. Kese mochen churi nomw ewe principal ewe sukuun owm kopwe angei noum kapin.
Vietnamese	Tập sách này có ở tiếng Việt. Vui lòng liên hệ với hiệu trưởng trường bạn để xin bản copy.
Chinese (Mandarin)	这本小册子有中文版本，请联系学校校长索取中文版本。
Chinese (Cantonese)	這本小冊子有中文版本，請聯繫學校校長索取中文版本。
Korean	이 팜플렛은 한국어로 제공됩니다. 카피본이 필요하시면 교장 선생님께 문의하시기 바랍니다.
Japanese	このパンフレット日本語は入手可能です。ご希望のコピーをあなたの学校の校長に問い合わせてください。
Marshallese	Ewor pamphle in ilo kajin Majol. Jōij im kūr lok principal eo an jikuul eo elañe kokōnaan.

# DEPARTMENT OF EDUCATION STATE OF HAWAII



*Equal  
Educational Opportunity*



**This document contains 4 separate notices:**

- 1 - Notification of Rights Under FERPA for Elementary & Secondary Schools
- 2 - Notice for Directory Information
- 3 - Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)
- 4 - Notice to Secondary School Students and Parents/Guardians of Secondary School Students - Military Recruiters Request for Student Information



**STATE OF HAWAII  
DEPARTMENT OF EDUCATION**

**Notification of Rights Under FERPA for Elementary and Secondary Schools**

The "Family Educational Rights and Privacy Act" (FERPA), affords parents, guardians, and eligible students (age 18 and over) certain rights with respect to student education records.

These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Parents, guardians, or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent, guardian 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, guardian or eligible student believe are inaccurate or misleading. Parents, guardians 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, guardian or eligible student the school will notify the parent, guardian 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, guardian 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 that 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 who has a legitimate educational interest, persons employed by the Hawaii State Department of Health who attend to students, a person serving on the School Board, or a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist). A school official has legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without 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, 400 Maryland Avenue, SW, Washington, DC 20202-5901.

Translations of this document are available in 14 non-English languages.  
Translations can be found online at <http://ferpa.k12.hi.us>



STATE OF HAWAII  
DEPARTMENT OF EDUCATION**Notice for Directory Information**

**DIRECTORY INFORMATION** – The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the Hawaii Department of Education (Department), with certain exceptions, obtain parent, guardian, or eligible student's consent prior to the disclosure of personally identifiable information from the student's education records. However, the Department may disclose appropriately designated "directory information" without written consent unless the parent, guardian, or eligible student requested the Department to the contrary in writing, (i.e. "Opt Out"). The primary purpose of directory information is to allow the Department to include this type of information from the student's education records in certain school publications. Examples include, but are not limited to:

- A playbill, showing the student's role in a drama production;
- The annual yearbook;
- Class, team, or school club photograph;
- Honor roll or other recognition lists;
- Graduation programs, and
- 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's, guardian's, or eligible student's prior written consent. Outside organizations include, but are not limited to, companies that manufacture or market class rings or publish yearbooks, elected officials, and colleges and universities.

The Department has designated the following information as directory information:

- Student's name
- Address
- Telephone (Includes unlisted numbers)
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade (class) level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Honors and awards received
- The most recent educational agency, institution, or school attended
- Graduation date

**HOW TO "OPT OUT" OR REQUEST NON-DISCLOSURE**

Parents, guardians, and eligible students need to submit a legibly written and signed request to the school. The request must contain the school name and the student's name and birth date. You will need to indicate whether ALL directory information or specify which directory information categories should not be disclosed.

Please be aware that if you chose to withhold or opt out of ALL directory information categories, this would prevent the release, without prior consent, to colleges, prospective employers, companies providing class rings or photographs and to other organizations or individuals. The student's information would be prohibited from the yearbook, school newspaper, commencement program, sports activity sheets, honor roll, etc. In other words, this is a total "black out." The parent, guardian, or eligible student would have to consent to each requested release.

For students in a secondary school (i.e. middle, intermediate, high schools or students in grades 7 through 12 in multi-level schools) there is an additional notice on military recruiters requesting student information (titled "Notice To Secondary School Students"). Please read the notice and decide whether or not you or your parents/legal guardian desire to withhold your name, address and telephone number from military recruiters. If you desire to withhold the information, then please file a legible, signed written request for non-disclosure to military recruiters (i.e. opt out) **in addition to** any other non-disclosure (i.e. opt out) that is filed for directory information.

You have 10 working days (i.e. when the school office is open for business) after you receive these notices to file a legible, signed written request to the school requesting that the directory information not be released.

If the student's parent/guardian or the eligible student does not opt out or request non-disclosure, directory information can be released when requested.

Translations of this document are available in 14 non-English languages.

Translations can be found online at <http://ferpa.k12.hi.us>



## Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

The federal PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are 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 (ED)-

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of -

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use -

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Hawaii Department of Education (HIDOE) will notify parents of students who are scheduled to participate in specific activities or surveys that involve one or more of the protected areas listed above and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. HIDOE will make this notification to parents at the beginning of the school year if it has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys that involve one or more of the protected areas and be provided an opportunity to opt their child out, as well as an opportunity to review any pertinent surveys. The following are the general categories of activities or surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution,
- Administration of any protected information survey,
- Any non-emergency, invasive physical examination or screening as described above.

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

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901





STATE OF HAWAII  
DEPARTMENT OF EDUCATION

**Notice To Secondary School Students and Parents/Guardians of Secondary  
Students  
Military Recruiters Request for Student Information**

The federal No Child Left Behind Act requires the Department of Education (DOE) to provide to military recruiters, upon their request, the name, address, and telephone number (including unlisted number) of secondary school students. Although military recruiters focus their efforts on high school juniors and seniors, the law allows for the gathering of this information from the broad category of "secondary" students. Secondary school students are defined as students enrolled in middle, intermediate and high schools. It also applies to students in grades 7 through 12 in combination elementary/secondary schools (e.g. K-7, K-8, K-9, K-11, K-12, 7-12).

If any secondary student or the parent/guardian of a secondary student or an eligible student (i.e. 18 years or older) **does not** want the DOE to provide the requested information to military recruiters, the secondary student or the parent/guardian must "opt out" of providing such information. To do this, a legible, signed written request needs to be submitted to the school office. The request must contain the school name and the student's name and birth date. Although not legally required, the DOE has developed an "opt out" form for military recruiting to facilitate response from students or their parents. The form can be downloaded from the DOE web page at <http://doe.k12.hi.us>.

You have 10 working days (i.e. when the school office is open for business) after you receive this notice to file your written request. However, "opt out" requests will be accepted at any time during the school year. If a request comes in after student lists have been turned over to the military's Inter-Service Recruitment Council (IRC), the Office of Information Technology Services will inform the IRC to have recruiters remove the student's information from the lists. It is the IRC's responsibility to inform and monitor recruiters.

The school will keep a copy of your request on file. **If an "opt out" for military recruiters was filed with the school last school year, the request will be honored until the student leaves the Hawaii DOE public school system or until the submitter rescinds the "opt out" request.**

If the secondary school student or the student's parent/guardian does not opt out or request non-disclosure, student information will be provided to the military recruiters as required by law.