

PERFORMANCE COMMITTEE

September 17, 2009

Approved Minutes

IN ATTENDANCE:

Committee Members: Susan Baskett and Glenn Nelson; Absent: Randy Friedman

Staff Members: Dr. Todd Roberts, Larry Simpson, LeeAnn Dickinson-Kelly

Others: Lisa Allmendinger (A2Journal), David Jesse (AnnArbor.com), Leslie Harrington (Executive Director of the Student Advocacy Center), Rosemary Black-Hackett (SAC Legal Advocate)

Susan Baskett called the meeting to order at 6:07pm. Meeting was delayed due to lack of quorum.

No one was present for Public Commentary

Student Advocacy Center is the only state-wide agency that advocates for students both in the general education and special education population. In the past 5 years, their work has focused on issues of the “Zero Tolerance” philosophy in schools. The SAC would like for the AAPS to be the model school system for fair and just treatment of all students.

Ms. Black-Hackett noted that although the law states that suspensions can be up to 180 days, the full 180 suspension appears to be the usual punishment doled out by the Ann Arbor Public Schools.

Regarding Due Process, Ms. Harrington pointed out that it is often unclear what steps will be taken regarding general education students. Often students find it very difficult to return **to** their home schools after a suspension. She and Larry Simpson will work together to inform child advocates, students and families of their rights under current policies and the law.

The SAC and Ann Arbor Public Schools will work together in partnership regarding enrollment issues, due process and general climate issues in our schools. Ms. Harrington will assist the Superintendent in identifying those school districts that are considering adding a non-staff member to the suspension/expulsion hearing panels. Dr. Roberts expressed concerns regarding the Family Education Rights and Privacy Act (FERPA). Ms. Harrington will also send Dr. Roberts the latest Students Rights Handbook prepared by the American Civil Liberties Union.

Dr. Roberts urged Ms. Harrington to contact Mr. Simpson regarding any issues concerning Due Process and Dr. Jane Landefeld regarding any issues around enrollment.

RETENTION

1. Ms. LeeAnn Dickinson-Kelly reviewed the unanticipated need to develop a Retention Appeal Process for elementary school children. Unexpectedly, there were parents who requested that their children be retained against the school's recommendations.

A few elementary students, 7, were recommended for retention last year. Many of these were newly immigrated students who came to the district late in the school year.

There were families of 6 children who were recommended to repeat a grade, requested an appeal. Ms. Dickinson-Kelly agreed with the school administrator that there was no achievement related issue that would warrant retention in these cases. Half of these families were persuaded to have their children continue on to the next grade level. The other half was adamant about retention. Administration deferred to the parents' decision.

All of the children who were retained will have personalized learning plans. Their achievement will be reviewed to monitor their progress.

2. Grades of retained middle school students were quickly reviewed. Dr. Roberts stated that overall, the students' grades improved with a second year in the same grade level.

Dr. Roberts agreed to conduct a review of students who were retained and those who through their expected 12th grade year. While studies have shown that retention may make no difference and in fact may impeded academic success, the committee is concern about students being able to meet the rigor of the new high school graduation requirements.

3. Administration will bring forth the proposed Retention Policy for middle school to the next committee meeting.

NEXT MEETING: October 15 at 4:00pm

PROPOSED AGENDA:

(Including, but not limited to)

- Understanding AYP Report and Its Implications
- District Alternative Programs
- Middle School Retention Policy

POLICIES FOR REVIEW THIS YEAR:

2310 Administrative Hiring

5110 Homeless Students

6120 Pilot Projects

7220 Parent and Booster Organizations
5120 Middle School Attendance (new)
xxx Textbook Adoption (new)
3710 Insurance
5050 Graduation Requirements
6130 Equity in Achievement and Access
6140 Homework-Middle School
3000 series-sunset review (6/10)
4000 series-sunset review (6/10)

Minutes Prepared by Susan Basket

Family Educational Rights and Privacy Act (FERPA)

[Family Policy Compliance Office \(FPCO\) Home](#)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the

school;
Accrediting organizations;
To comply with a judicial order or lawfully issued subpoena;
Appropriate officials in cases of health and safety emergencies;
and
State and local authorities, within a juvenile justice system,
pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

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 1-800-877-8339.

Or you may contact us at the following address:

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