

POLICY SERVICES

ADVISORY

Volume 26, Number 2

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Policy Advisory Discussion

The new format in the presentation of Policy Advisories is to place each relevant discussion immediately above the document which is to be considered by the Governing Board for adoption as a policy and the Superintendent for implementation as a regulation or exhibit.

If you have any questions, call Policy Services at (602) 254-1100. Ask for Chris Thomas, Director of Legal/Policy Services; Dr. Terry Rowles, Assistant Director; Steve Highlen, Senior Policy Consultant; or Nick Buzan, Policy Consultant. Our E-mail addresses are, respectively, [cthomas@azsba.org], [trowles@azsba.org], [shighlen@azsba.org] and [nbuzan@azsba.org]. You may also fax information to (602) 254-1177.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to review the policy references and consult an attorney for further explanation.

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Policy Advisory No. 499 Policy BCB — Board Member Conflict of Interest.

Board Members are forbidden from supplying school districts with equipment, material, supplies or services unless pursuant to an award or contract let after public competitive bidding. An exception exists for equipment, material, and supplies under certain dollar amounts. Policy BCB is revised to clarify that the exception for Board Member purchases applies only to equipment, materials, and supplies, and NOT services.

For a more extensive discussion on this rule see A.G.O. I87-035 discussing Arizona Revised Statutes 38-503(C) and 15-323.

B-0800

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BCB

**BOARD MEMBER CONFLICT
OF INTEREST**

Voting Restrictions

Notwithstanding any other provision of law, a Governing Board member shall be eligible to vote on any budgetary, personnel, or other question that comes before the Board, except that it shall be unlawful for a member to vote on a specific item that concerns the appointment, employment, or remuneration of such member or any person related to such member as a dependent as defined in A.R.S. 43-1001. [LEGAL REF.: A.R.S. 15-323]

Employment Limitation

No dependent, as defined in Section 43-1001, of a Governing Board member may be employed in the District, except by consent of the Board. [LEGAL REF.: A.R.S. 15-502]

No employee of the District or the spouse of such employee may hold membership on the Governing Board of the District. [LEGAL REF.: A.R.S. 15-421]

Conflict of Interest

Any Board member or employee of the District who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to the District shall make known that interest in the official records of the District and shall refrain from voting upon or otherwise participating in any manner as a Board member or employee in such contract, sale, or purchase. [LEGAL REF.: A.R.S. 38-503]

Any Board member or employee who has, or whose relative has, a substantial interest in any decision of the District shall make known such interest in the official records of the District and shall refrain from participating in any manner as a Board member or employee in such a decision. [LEGAL REF.: A.R.S. 38-503]

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

**Purchases from Governing Board
Members for Districts with
3,000 or More Students**

School district procurement rules are required for all purchases of service from Governing Board members, regardless of the dollar amount. Purchases for supplies may only be made after public competitive bidding. Purchases of supplies, materials, and equipment from Board members are subject to the following:

- Purchases for supplies, materials, and equipment ~~goods or services~~ are limited to three hundred dollars (\$300) per transaction;
- Total purchases within any twelve (12) month period are limited to one thousand dollars (\$1,000);
- The purchases comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations.
- The Board has, by majority vote, adopted or reconfirmed a policy authorizing such purchases within the preceding twelve (12) month period.

[LEGAL REF.: A.R.S. 38-503; 15-323; A.G.O. I84-012; I06-002]

**Purchases from Governing Board
Members for Districts with
Fewer than 3,000 Students**

School district procurement rules are required for all purchases of service from Governing Board members, regardless of the dollar amount. Purchases for supplies may only be made after public competitive bidding. Purchases of supplies, materials, and equipment from Board members are subject to the following:

- Purchases less than one hundred thousand dollars (\$100,000) comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations;
- Purchases of one hundred thousand dollars (\$100,000) and above comply with the school district procurement rules for public competitive bidding;
- Each purchase is approved by the Governing Board;
- The amount of the purchase is included in the Board's meeting minutes.

[LEGAL REF.: A.R.S. 15-323; A.G.O. I06-002]

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Filing of Disclosures

The District shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to the statutory conflict-of-interest provisions. [LEGAL REF.: A.R.S. 38-509]

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-213
 15-323
 15-421
 15-502
 38-481
 38-503
 38-509
 43-1001
 A.G.O. I84-012
 I87-035
 I88-013
 I06-002

CROSS REF.: BBBA - Board Member Qualifications
 DJE - Bidding/Purchasing Procedures

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Policy Advisory No. 500 Policy BE — School Board Meetings. Arizona Revised Statute 15-321(D) states, “The board shall prescribe rules for its own government. It shall hold a regular meeting at least once each month during the regular school year and may hold other meetings as often as called. If action has been taken and documents approved at a meeting, they may be signed subsequently by individual board members.” ASBA Policy Services has determined that an adjustment to meet the minimum standard stated in A.R.S. 15-321(D) is appropriate for the document model. Governing Boards “may hold other meetings as often as called.” Thus, should a local Governing Board schedule regular meetings on a more frequent basis than the minimum of once each month, the Policy Manual may reflect this schedule.

Choose one (1) of the two (2) options for placement in Policy BE.

B-1400

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BE

SCHOOL BOARD MEETINGS

The Board shall transact all business at official meetings of the Board. These may be either regular or special meetings, defined as follows:

- Regular meeting - the usual official legal-action meeting, scheduled and held regularly.
- Special meeting - an official legal-action meeting called between scheduled regular meetings to consider only specifically identified topics.

Every meeting of the Board, regular or special, shall be open to the public except for an executive session that is held in accordance with state law. A "meeting" is defined as the gathering, in person or through technological devices, of a quorum of members of a public body to discuss, propose or take legal action, including any deliberations with respect to such action, that has been properly noticed, pursuant to Arizona Revised Statutes.

Notice of all Governing Board meetings, regular and special, shall be posted in compliance with the requirements prescribed by A.R.S. 38-431.02 and described in Board Policy BEDA.

Regular Board Meetings

The Governing Board shall hold a regular meeting at least once each month during the regular school year and may hold other meetings as often as called. If action has been taken and documents approved at a meeting, they may be signed subsequently by individual Board members.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Choose this:

The _____ and _____ of each calendar month during the regular school year are designated as the regular Board meeting dates. The Board may hold other meetings as often as called.

Or choose this:

The _____ of each month during the regular school year is designated as the regular Board meeting date. The Board may hold other meetings as often as called.

A regular meeting may be rescheduled or canceled:

- By majority vote of the Board when noticed as a meeting agenda item.
- By declaration of the Board President, or if the President is unavailable another member of the Board, in consultation with the Superintendent, when a significant event beyond the Board's control renders attendance at the meeting unsafe or unreasonable in light of the circumstance, such as:
 - Significantly inclement weather conditions, or
 - A local, state, or national emergency of a magnitude it intervenes to the extent that convening of the meeting is inadvisable.
- When the absence of a quorum of the Board will render the meeting impermissible.

Every regular meeting of the Board shall be open to the public, and the Board shall meet at the most convenient public facility in the District. If a public facility is not available within the District, the Board may meet at any available public facility convenient to all Board members, regardless of the county or school district in which the facility is located.

Special Board Meetings

Special meetings may be called whenever deemed necessary. Written or telephoned notice of all special meetings shall be given to the members of the Board at least twenty-four (24) hours prior to the time stated for the meeting to convene. Said notice shall indicate the purpose of the special meeting. No business other than the matters specified in the notice shall be transacted at such meeting.

Adopted: date of Manual adoption

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LEGAL REF.: A.R.S. 15-321
15-843
38-431 *et seq.*
A.G.O. I79-45

CROSS REF.: BEC - Executive Sessions/Open Meetings
BEDA - Notification of Board Meetings
BEDB - Agenda
BEDC - Quorum

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Policy Advisory No. 501 JICI — Weapons In School. The description of a knife in the bulleted item under “Weapon means any of the following” is deleted. The length of a knife is inconsequential when issues of school safety are involved.

J-3100

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JICI

WEAPONS IN SCHOOL

No student shall carry or possess a weapon or simulated weapon on school premises without authorization by a school administrator. The Superintendent shall prescribe regulations for student possession of bows or firearms on District property for the purpose of the student's participation in a course of training in bows or firearms approved by the Governing Board and as authorized by Arizona Revised Statutes (A.R.S.) 15-713, 15-714, and 15-714.01. No student shall use or threaten to use a weapon or simulated weapon to disrupt any activity of the District.

Any employee who observes any person in possession of a weapon or simulated weapon on school premises shall immediately report the matter to the school administrator. A school administrator who observes or receives a report of a student possessing a weapon on school premises shall immediately take appropriate safety and disciplinary actions in accordance with District policies and shall immediately report a violation of this policy to a peace officer, pursuant to A.R.S. 15-515, if the weapon is a deadly weapon or the student is a minor in possession of a firearm.

A student who violates this policy by carrying or possessing a firearm shall be placed in an alternative education program for a period of not less than one (1) year, suspended for a period of not less than one (1) year, or expelled and not be readmitted within a one (1)-year period, if ever. The Governing Board, in its sole discretion, may modify the one (1)-year duration of such disciplinary action on a case-by-case basis.

A student who violates this policy by any means other than carrying or possessing a firearm shall be subject to disciplinary action, including but not limited to expulsion. Disciplinary action against a student with one (1) or more disabilities shall be applied on a case-by-case basis in accordance with District policies and state and federal special education laws.

For the purposes of this policy:

- *Weapon* means any of the following:
 - A firearm.

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- ~~A knife, other than a folding pocket knife with a blade length of not more than two and one half (2 1/2) inches that cannot be locked in an open position.~~
- A destructive device.
- A dangerous instrument.
- *Simulated weapon* means an instrument displayed or represented as a weapon.
- *Firearm* means any of the following:
 - Any loaded or unloaded gun that will, that is designed to, or that may readily be converted to expel a projectile by the action of an explosive.
 - The frame or receiver of any such firearm.
 - Any firearm muffler or silencer.
 - Any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive charge of more than one-fourth (1/4) ounce, mine, or similar device.
 - Any combination of parts that could be readily assembled to form a firearm.
- *Destructive device* means:
 - Any device other than a firearm that will, or is designed to, or may be readily converted to expel a projectile by any means of propulsion, such as a BB/pellet gun, slingshot, bow, or crossbow.
 - Any collection of parts that could be readily assembled to form a destructive device.
- *Dangerous instrument* means anything other than a firearm, knife, or destructive device that is carried or possessed by a student for the purpose of being used or being available for use to cause death or inflict serious physical injury.
- *School premises* means the school, school grounds, school buses, or any premises, grounds, or vehicles used for school purposes and includes premises where school-sponsored events (for example, athletic games and competitions, music competitions, et cetera) are held away from District property.
- *Deadly weapon* means any weapon designed for lethal use, including a firearm.

Adopted: date of Manual adoption

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

LEGAL REF.: A.R.S. 13-2911 15-342 15-714.01
 13-3102 15-515 15-841
 13-3111 15-713 15-843
 15-341 15-714

20 U.S.C. 7151 *et seq.*, The Gun-Free School Act of 1990

CROSS REF.: JI - Student Rights and Responsibilities
 JIC - Student Conduct
 JIH - Interrogations, Searches, and Arrests
 JK - Student Discipline
 JKD - Student Suspension
 JKE - Expulsion of Students

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Policy Advisory No. 502 JL — Student Wellness. Policy language has been modified to align with the requirements of the Healthy, Hunger-free Kids Act of 2010.

J-4950

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JL

STUDENT WELLNESS

The School District strives to make a significant contribution to the general well being, mental and physical capacity, and learning ability of each student while affording them the opportunity to fully participate in the educational process.

The District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Healthy eating is demonstrably linked to reduced risk for mortality and development of many chronic diseases as adults.

To ensure the health and well-being of all students, the Board shall promote and monitor student wellness in a manner that the Board determines is appropriate in the following areas:

- *Nutrition Guidelines:* All foods available in each school during the day will have as a primary goal the promotion of student health and the reduction of childhood obesity. All guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture, as those regulations and guidance apply to schools.
- *Nutrition Education:* The goal is to influence students' eating behaviors by providing nutrition education that is appropriate for students' ages; reflects students' cultures; is integrated into health education or core curricula; and provides opportunities for students to practice skills and have fun.
- *Physical Activity:* The goals for physical activity are to provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain students' physical fitness, to ensure students' regular participation in physical activity, and to teach students the short- and long-term benefits of a physically active and healthful lifestyle.
- *Other School-Based Activities:* The goal is to create a total school environment that is conducive to healthy eating and physical activity.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

- *Evaluation/Implementation:* A primary goal will be to regularly (at least annually) evaluate the effectiveness of this policy in promoting healthy eating and changing the program as appropriate to increase its effectiveness. Such evaluation will be measureable. The results of each evaluation, including the extent to which schools are in compliance with District policy, the extent to which the District policy complies with federal regulations, and a description/summary of the progress made in attaining the goals of the District, shall be made available to the public. Physical education teachers and school health professionals shall have an opportunity to participate in the evaluation and implementation of this policy.
- *Parent, Community and Staff Involvement:* A primary goal will be to engage family members, students, and representatives of the school food authority, the Governing Board, school administrators, and the public in development and regular review of this school policy.

The Superintendent is directed to develop administrative regulations to implement this policy, including such provisions as may be necessary to address all food and beverages sold and/or served to students at school (i.e., competitive foods, snacks and beverages sold from vending machines, school stores, after-school programs, and funding-raising activities and refreshments that are made available at school parties, celebrations and meetings), including provisions for staff development, family and community involvement and program evaluation. Regulations and exhibits created for the purpose of implementing this policy shall be considered, in effect, to be an extension of this policy subject to Governing Board review.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-242
42 U. S. C. 1751 et seq. (National School Lunch Act)
42 U. S. C. 1771 et seq. (Child Nutrition Act)

CROSS REF.: ABA - Community Involvement in Education
ABAA - Parental Involvement
BBA - Board Powers and Responsibilities
EF - Food Services
EFE - Competitive Food Sales/Vending Machines
IA - Instructional Goals and Objectives

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Policy Advisory No. 503 Exhibits JLF-EB; JLF-EC; JLF-ED — Reporting Child Abuse/Child Protection. This advisory provides districts and charter schools with new exhibits JLF-EB, JLF-EC, and JLF-ED as additional documents related to interviews and access to records of students by CPS. The exhibits are reproductions of forms provided by CPS – CPS-1047A, CPS-1048A, and CPS-1061A. The code for JLF-E, which is an unchanged exhibit, now becomes JLF-EA.

JLF-EB is a copy of a letter to be provided by a Child Protective Services Specialist to interview a child at school (Request for Interview at School, CPS-1047A.) Several provisions related to the specialist's authorization are included for school staff to review, including statutory and rule provisions related to an interview without notice to or consent of the parent, guardian or custodian; limitations on those who may attend the interview and confidentiality; and potential temporary custody determination to protect the child(ren) from abuse or neglect. If it is determined that temporary custody is necessary, the specialist will provide a Notice of Removal (PS-058) and a Temporary Custody Notice (CPS-1000A) in accordance with A.R.S. Section 8-823.

Confidentiality is referenced in CPS-1047A (JLF-EB) in this statement: “under state and federal law, any information you have or may obtain during this investigation is confidential, including this form and the fact that the above-named child(ren) have been contacted regarding allegations of abuse or neglect. Do not disseminate this information to any person unless specifically authorized by applicable law or court order.”

JLF-EC and JLF-ED are forms generated by the Department of Economic Security (DES), Division of Children, Youth, and Families, Child Protective Services (CPS), for CPS Specialists employed by DES as case workers/investigators for Child Protective Services to obtain access to education records. CPS is mandated by law to investigate allegations of child abuse and neglect.

JLF-EC is a Request for Release of Education Records (Use only for CPS Investigations, CPS-1048A), A.R.S. Sections 8-800 and 8-802. This form references Title 34 of the Code of Federal Regulations (C.F.R.) Section 99.31(a)(10) which provides that a school may disclose personally identifiable information from an education record of a student without the consent of the parent, guardian or custodian if “(t)he disclosure is in connection with a health or safety emergency, under the conditions described in Section 99.36.” Further, “34 C.F.R. Section 99.36(a) provides that an educational agency or institution may disclose personally identifiable information from an education record to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.”

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Confidentiality is emphasized in CPS-1048A (JLF-EC): “under state and federal law, any information you have or may obtain during this investigation of allegations of abuse and neglect, including the fact that the above-named children may have been contacted or that this Request for Education Records is being made is confidential. Do not inform anyone of this request or otherwise disseminate confidential information regarding this matter to any person, including the parent, guardian or custodian, unless specifically authorized by applicable law or court order.”

JLF-ED is a Request for Release of Education Records (Child/Youth is a ward of the Court in the legal care, custody and control of the Arizona Department of Economic Security, CPS-1061A). This form is a more comprehensive request from a Child Protective Services (CPS) Specialist or a Unit Supervisor employed by DES and an assigned CPS representative for the named child(ren) whom DES is legally responsible to care for and protect under Title 8 of A.R.S, including Sections 8-806 and 8-825. The use of this form was authorized by the Uninterrupted Scholars Act, an amendment to the Family Educational Rights and Privacy Act (FERPA). It is codified at 20 USC Section 12332g(b)(1)(L).

The confidentiality emphasis in CPS-1061A (JLF-ED) is as follows: “under state and federal law, any information you have or may obtain from CPS, including the fact that the above-named children may have been contacted or that this Request for Education Records is being made is confidential. Do not inform anyone without a need to know of this request or otherwise disseminate confidential information regarding this matter to any person, including the parent, guardian or custodian, unless specifically authorized by applicable law or court order.”

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

EXHIBIT**EXHIBIT****REPORTING CHILD ABUSE /
CHILD PROTECTION****REQUEST FOR INTERVIEW AT SCHOOL
(CPS-1047A)**

Date

Name of School

*Address (No., Street, Ste. No., City, State, ZIP)*RE:

(Child(ren)'s Name(s))

I am a Child Protective Services Specialist employed by the Arizona Department of Economic Security. Child Protective Services (CPS) is mandated by law to investigate allegations of child abuse and neglect. Arizona Revised Statutes (A.R.S.) § 8-800 and § 8-802. As part of my investigation, I need to speak with one or more children at this school. Please provide me with immediate access to the above-named child(ren).

I am authorized by A.R.S. § 8-802(C)(4) and A.A.C. R6-5-5508(C) to interview a child without notice to or consent of the parent, guardian or custodian. See Arizona Attorney General Opinions (AG Opinions) 175-219, 175-234, 188-062, 104-003. Do not contact, directly or indirectly, the parents, guardians or custodians of the above-named child(ren) unless specifically requested or authorized by me, the assigned CPS Specialist.

Because of the sensitive and confidential nature of a CPS investigation, school personnel and others are not permitted to be present during the interview(s) of the child(ren) nor can they be informed of what was discussed. See A.R.S. § 8-807, AG Opinion 198-008.

If at any time I determine, pursuant to A.R.S. § 8-821, that temporary custody is clearly necessary to protect the child(ren) from abuse or neglect, I will provide you with a Notice of Removal (PS-058) and provide the parents, guardians, or custodians a Temporary Custody Notice (CPS-1000A) in accordance with A.R.S. § 8-823.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Under state and federal law, any information you have or may obtain during this investigation is confidential, including this form and the fact that the above-named child(ren) have been contacted regarding allegations of abuse or neglect. DO NOT disseminate this information to any person unless specifically authorized by applicable law or court order.

Thank you for your cooperation.

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| CPS Specialist's Name | | Address (<i>No., Street, Ste. No., City, State, ZIP</i>) | |
| Phone No. | Fax No. | E-mail Address | |
| CPS Specialist's Name | | | |

EOE/ADA/LEP/GINA Disclosures

Equal Opportunity Employer/Program • Under Titles VI and VII of the Civil Rights Act of 1964 (Title VI & VII), and the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Genetic Information Nondiscrimination Act (GINA) of 2008; the Department prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, disability, genetics and retaliation. The Department must make a reasonable accommodation to allow a person with a disability to take part in a program, service or activity. For example, this means if necessary, the Department must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. To request this document in alternative format or for further information about this policy, contact your local office; TTY/TDD Services: 7-1-1. • Free language assistance for DES services is available upon request.

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| <i>Note:</i> This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation. |
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EXHIBIT**EXHIBIT****REPORTING CHILD ABUSE /
CHILD PROTECTION****REQUEST FOR RELEASE OF EDUCATION RECORDS
(Use only for CPS Investigations – CPS-1048A)**_____
Date

To: _____

Fax No.: _____

Address: _____
(No., Street, City, State, ZIP)RE: _____
(Child[ren]'s Names and DOB[s])

I am a Child Protective Services (CPS) Specialist employed by the Arizona Department of Economic Security (DES) as a case worker/investigator for Child Protective Services (CPS). CPS is mandated by law to investigate allegations of child abuse and neglect. See Arizona Revised Statutes (A.R.S.) § 8-800 and § 8-802. As part of my investigation, I need to review and/or have copies of the education records of the above-named child(ren). Please provide me with immediate access to the records requested below. If a portion of the records are not immediately available, please provide me with all available records and provide the remaining records to me as soon as possible.

Title 34 of the Code of Federal Regulations (C.F.R.) § 99.31(a)(10) provides that a school may disclose personally identifiable information from an education record of a student without the consent of the parent, guardian or custodian if "[t]he disclosure is in connection with a health or safety emergency, under the conditions described in § 99.36." 34 C.F.R. § 99.36(a) provides that an educational agency or institution may disclose personally identifiable information from an education record to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Pursuant to 34 C.F.R. § 99.31 and § 99.36, please provide me the education records of the above-named child(ren).

This request is being made to protect this child/others from possible imminent danger.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Under state and federal law, any information you have or may obtain during this investigation of allegations of abuse and neglect, including the fact that the above-named child(ren) may have been contacted or that this Request for Education Records is being made is CONFIDENTIAL. DO NOT inform anyone of this request or otherwise disseminate confidential information regarding this matter to any person, including the parent, guardian or custodian, unless specifically authorized by applicable law or court order.

Please provide the records to me as soon as possible by:

- ☐ Mailing them to me at: _____
- ☐ Calling me at: _____ to pick them up when they are ready. Please specify the hours you are open when you leave a message.
- ☐ Other: _____

Thank you for your cooperation.

CPS Specialist's Name (*Print or Type*)

CPS Specialist's Signature

EOE/ADA/LEP/GINA Disclosures

Equal Opportunity Employer/Program • Under Titles VI and VII of the Civil Rights Act of 1964 (Title VI & VII), and the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Genetic Information Nondiscrimination Act (GINA) of 2008; the Department prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, disability, genetics and retaliation. The Department must make a reasonable accommodation to allow a person with a disability to take part in a program, service or activity. For example, this means if necessary, the Department must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. To request this document in alternative format or for further information about this policy, contact your local office; TTY/TDD Services: 7-1-1. • Free language assistance for DES services is available upon request.

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EXHIBIT

EXHIBIT

**REPORTING CHILD ABUSE /
CHILD PROTECTION****REQUEST FOR RELEASE OF EDUCATION RECORDS
(Child/Youth is a ward of the Court in the legal care, custody
and control of the Arizona Department of
Economic Security – CPS-1061A)**_____
DateTo: _____
(School or the Arizona Early Intervention Program Provider [DES/AZEIP, DES/DDD, or ASDB,
and their contractors])

Fax No.: _____

Address: _____
(No., Street, City, State, ZIP)RE: _____
(Child[ren]'s Names and DOB[s])

I am a Child Protective Services (CPS) Specialist or a Unit Supervisor employed by the Arizona Department of Economic Security (DES) and am an assigned CPS representative for the above named child(ren) whom DES is legally responsible to care for and protect under Title 8 of A.R.S., including § 8-806 and § 8-825.

Pursuant to amendments made to the Family Educational Rights and Privacy Act (FERPA) in 2013 (20 U.S.C. § 1232g (b)(1)(L)), I am entitled to receive copies of education records in your possession or control for the above named child(ren). Records sought include: special education (includes early intervention evaluations, IFSPs, service logs, and comparable IDEA Part B records), discipline, attendance, assessments, medical, speech-language, academic, state or district mandated testing, immunization, birth certificate, Section 504 plans, social, psychological, and achievement records. Records you provide will not be disclosed by DES except to an authorized individual or entity engaged in addressing the child(ren)'s educational needs, or as directed by a court.

Under state and federal law, any information you have or may obtain from CPS, including the fact that the above-named child(ren) may have been contacted or that this Request for Education Records is being made is CONFIDENTIAL. DO NOT inform anyone without a need to know of this request or otherwise disseminate confidential information regarding this matter to any person, including the parent, guardian or custodian, unless specifically authorized by applicable law or court order.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Please provide the records to me as soon as possible by:

- ☐ Mailing them to me at: _____
- ☐ Calling me at: _____ to pick them up when they are ready. Please specify the hours you are open when you leave a message.
- ☐ Other: _____

Thank you for your cooperation.

CPS Specialist's Name (*Print or Type*)

CPS Specialist's Signature

EOE/ADA/LEP/GINA Disclosures

Equal Opportunity Employer/Program • Under Titles VI and VII of the Civil Rights Act of 1964 (Title VI & VII), and the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Genetic Information Nondiscrimination Act (GINA) of 2008; the Department prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, disability, genetics and retaliation. The Department must make a reasonable accommodation to allow a person with a disability to take part in a program, service or activity. For example, this means if necessary, the Department must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. To request this document in alternative format or for further information about this policy, contact your local office; TTY/TDD Services: 7-1-1. • Free language assistance for DES services is available upon request.

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