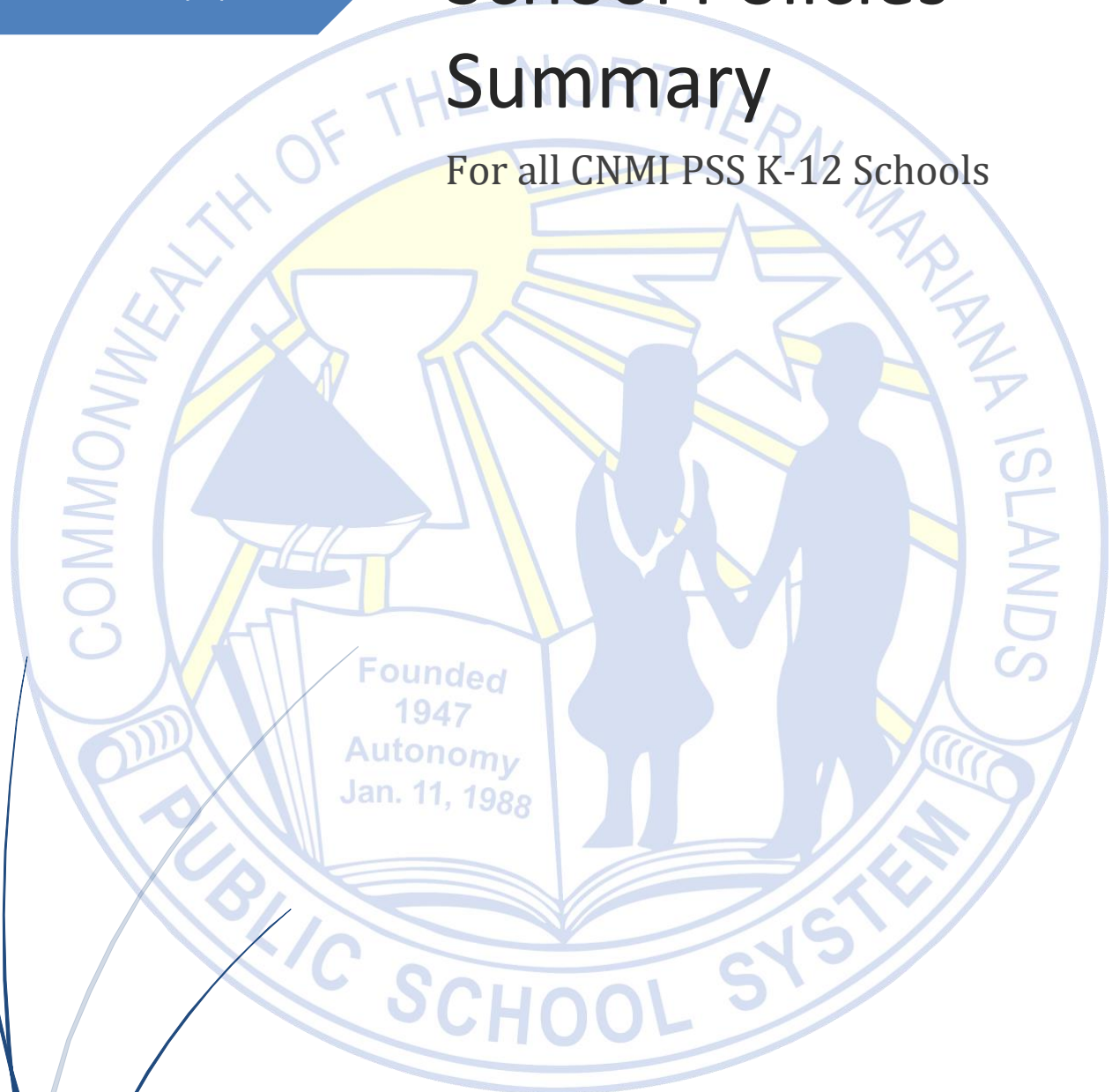


7/5/2020

School Policies Summary

For all CNMI PSS K-12 Schools



Updated by the Department of Accountability,
Research & Evaluation; Original file compiled by
Dr. Rizalina Liwag, Principal
CNMI PUBLIC SCHOOL SYSTEM

Table of Contents

<i>PSS Student Discipline Policy</i>	2
§ 60-20-440 Day to Day Discipline.....	2
§ 60-20-442 Detention	2
§ 60-20-444 In-school Suspension	2
§ 60-20-446 Offense Categories.....	2
§ 60-20-448 Suspension.....	5
§ 60-20-450 Expulsion.....	5
<i>PSS Student Attendance Policy</i>	7
§ 60-20-420 Student Attendance	7
<i>Standard Operating Procedure for Attendance Referral</i>	9
<i>PSS Student Drug Free School Policy</i>	54
§ 60-20-470 Student Use of Tobacco, Alcohol, Drugs and Betel Nut.....	54
<i>PSS Technology Use Notification Policy</i>	55
§ 60-20-540 Library, Media, and Technology Services; Student Internet Usage.....	55
<i>PSS Promotion Policy</i>	60
§ 60-20-432 Promotion and Retention.....	60
§ 60-20-434 Promotion and Graduation Requirements.....	61
§ 60-20-436 Ceremonies and Awards	66
<i>Form 2420 FERPA Educational Rights Annual Notification</i>	69
Form 2420.1 FERPA Notice of Designation of Directory Information.....	70
<i>Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)</i>	73
<i>Student Transfer Policy</i>	75
§ 60-20-418 Transfers to Different Schools/Zones.....	75
§ 60-20-430 Grade Placement for Transfer Students.....	75

For a complete list of the CNMI Board of Education Administrative Code Title 60 Chapter 60-20 policies and regulations, please visit:

<http://www.cnmilaw.org/pdf/admincode/T60/T60-20.pdf>

PSS Student Discipline Policy

§ 60-20-440 Day to Day Discipline

Principals and appropriate personnel are specifically authorized by this policy to impose or recommend day to day discipline including, but not limited to, in-house detention, parent conferences, counseling sessions, campus clean up, community service, required apologies, behavioral intervention plans, and any reasonable creative disciplinary measures.

§ 60-20-442 Detention

(a) The provisions of a detention program for student violations of policies, rules and regulations shall provide principals with an additional alternative for dealing with disciplinary problems that occur in the schools. Detention is an assigned before-school and/or after-school period, during which student activity is closely monitored and severely restricted. Students are expected to be quiet during the entire detention period and to work exclusively on assigned tasks.

(b) School administrators and certified personnel detain students after normal school hours for a reasonable time provided the following conditions are observed:

- (1) Students must have an opportunity to make arrangements for transportation home. Therefore, the detention may take place on any day after the day of notification to detain.
- (2) The detention may be for disciplinary or academic reasons.
- (3) The names of all students detained must be reported to the building principal.
- (4) A certified staff member must supervise all students detained.

§ 60-20-444 In-school Suspension

In-school suspension is a structured disciplinary action in which a student is isolated or removed from regular classroom activities, but is not dismissed from the school setting. The principal/designee may assign students to the in-school suspension program for a reasonable and specified period of time.

§ 60-20-446 Offense Categories

The offense categories set out in this section are intended to be illustrative but not an exclusive listing of acts of misconduct and the consequences for each. Misconduct that is not specifically listed in this section may be deemed to warrant discipline up to and including expulsion following provision of all due process procedures. In addition, the disciplinary consequence listed for each offense may be increased or decreased by the administration or the Board due to mitigating or aggravating circumstances.

(a) Category I - Examples of offenses which may result in suspension:

- (1) Academic dishonesty (cheating on tests, copying term papers, forging signature of teacher or parent)
- (2) Disrespect to teacher/staff
- (3) Failure to report to office when directed to do so
- (4) Gambling
- (5) Harassment, including, but not limited to, nuisance phone calls to students or staff members; continued comments or passing unofficial notes to another individual who wishes not to hear or receive the notes

- (6) Igniting matches (when not part of the instructional program)
- (7) Lack of required immunization
- (8) Leaving school grounds without prior permission
- (9) Personal health reasons (when one's state of health threatens the health of others as in the case of communicable disease)
- (10) Refusing to cooperate with school transportation regulations
- (11) Refusing to cooperate with school rules and regulations
- (12) Refusing to do assigned work
- (13) Refusing to serve detention
- (14) Tardiness (class/classes)
- (15) Tardiness (school day)
- (16) Truancy (class/classes)
- (17) Truancy (school day)
- (18) Unauthorized sale or distribution, not otherwise described, including, but not limited to, the sale of football pools and the sale of items in school not related to the school's operation or school fundraising activities.
- (19) Possession and/or use of tobacco or cigarette rolling papers
- (20) Possession and/or use of betel nut (pugua) or betel nut related paraphernalia
- (21) Using foul or abusive language
- (22) Verbal assault on student
- (23) Possession of pornography.

(b) Category II - Examples of offenses for which the student will normally be suspended and which may result in expulsion and referral to law enforcement:

- (1) Assault on student from another school
- (2) Assault on a student from same school
- (3) Chronic disruption of the school program and/or activities
- (4) Deprivation through intimidation of another individual's right to attend school or classes
- (5) Destruction and vandalism of school property, personal property of students and/or faculty
- (6) Receipt, sale, possession, or distribution of property stolen from CNMI Public School System valued less than \$300
- (7) Disruptive behavior which results in the interference with the normal school program
- (8) Distribution, attempt to distribute, or possession with intent to distribute a non-controlled substance upon the representation that the substance is a controlled substance
- (9) Extortion less than \$300
- (10) Failure to assume responsibility for, or to control his/her behavior
- (11) False fire alarm/false fire report
- (12) Harassment for any reason including, but not limited to, sex, sexual orientation, color, race, religion, national origin and disability
- (13) Indecent exposure (frontal or buttocks)
- (14) Insubordination (constant or continuing intentional refusal to obey a direct or implied order, reasonable in nature, from a school administrator, teacher, or other school personnel)
- (15) Participating in, or inciting a school disruption
- (16) Possession and/or detonation of an incendiary or explosive material and/or device (firecracker or greater)
- (17) Possession and/or use of a portable pager (beeper) without prior and written approval from school principal
- (18) Possession and/or use of a portable telephone without prior and written approval from school principal

- (19) Possession of a pocket knife or possession of objects that may be considered weapons under category III(j) but are in the student's possession for genuine instructional purposes, (i.e. kitchen knives and exacto knives) without prior approval and under conditions set by the school principal
- (20) Possession of a look-alike weapon of any kind
- (21) Possession, use or distribution of controlled substance-related paraphernalia (other than betel nut or cigarette rolling papers (see category I))
- (22) Purchase of a non-controlled substance that has been represented to be a controlled substance, excluding betel nut
- (23) Theft and/or knowingly possessing stolen property
- (24) Trespassing on school property
- (25) Possession and/or use of tobacco or cigarette rolling paper, repeated offense
- (26) Possession and/or use of betel nut (pugua) and or betel nut-paraphernalia, repeated offense
- (27) Fighting
- (28) Conspiracy involving two or more persons to commit a category II offense
- (29) Arson
- (30) Assault on a PSS staff member
- (31) Striking a staff member intervening in a fight or other disruptive activity (intentional or unintentional)
- (32) Bomb threat
- (33) Conspiracy between two or more persons to commit a category III offense
- (34) Destruction and/or vandalism of school property, personal property of students and/or faculty valued at more than \$300
- (35) Receiving, selling, possessing or distributing property stolen from the CNMI Public School System valued at \$300 or more
- (36) Distribution and/or sale of alcohol
- (37) Distribution and or sale of controlled substances (illegal drugs), excluding betel nut
- (38) Possession or use of a real weapon of any kind (other than a firearm) including, but not be* limited to, a switchblade knife, hunting knife, throwing star, straight razor, nunchaku, spiked glove, spiked wristband, or any mace, tear gas, or pepper-spray derivative. Mace, tear gas, and pepper-spray derivatives may be carried with prior, written approval from the Commissioner of Education
- (39) Extortion of \$300 or more
- (40) Possession of alcohol
- (41) Possession of controlled substance (illegal drugs), excluding betel nut
- (42) Prescription violation (misuse of properly prescribed medicine including, but not limited to, such drugs as amphetamines and barbiturates)
- (43) Robbery
- (44) Use of a controlled substance (illegal drugs), excluding betel nut. Being under the influence of a controlled substance, or showing evidence or having used a controlled substance, excluding betel nut
- (45) Use of a look alike weapon of any kind
- (46) Use of alcohol, under the influence of alcohol, or showing evidence of having consumed alcohol
- (47) Use of intoxicants which cause a loss of self-control or inebriation which include, but are not limited to, glue and solvents, excluding betel nut
- (48) Violent behavior which creates a substantial danger to persons or property
- (49) Fighting, repeated offense
- (50) Any crime that is designated a felony by CNMI or federal statutes.

(c) Category III - Offenses which shall result in expulsion and referral to law enforcement

- (1) Possession, use, purchase, or sale of a firearm.

(i) A firearm is defined as:

(A) Any weapon which will, or is designed to or may readily be converted to expel a projectile by the action of an explosive;

(B) The frame or receiver of any weapon which will, or is designed to or may be readily converted to expel a projectile by the action of an explosive;*

§ 60-20-448 Suspension

(e) When a student is suspended, the principal/designee shall attempt to reach the student's parent/guardian to inform them of the school's action and to request that they come to school for the student. If the parent/guardian is unable to come for the student, the principal/designee may ask the parent/guardian for permission to send the student home. If the parent/guardian cannot be reached or if the above request is refused, the student must remain on school property until the close of the school day.

(f) The student's parent or guardian shall also be notified, in writing, on the day the suspension decision is made of the reason(s) for the suspension and the right of the student or parent or guardian to appeal the suspension to the Commissioner of Education within ten calendar days of the notification. Copies of all notifications shall be sent to the Commissioner of Education and the PSS legal counsel.

(g) The appeal procedures for suspensions of less than ten days are described in section (h) of this section (below). The appeal procedures for suspensions of ten days or more are described in § 60-20-452.

(h) If the parent and/or student wishes to appeal a suspension of ten days or less, the Commissioner of Education or a designee who shall be someone other than a principal, administrator or teacher in the suspended student's school, shall meet with the student and/or the parent or guardian to discuss the suspension. If the Commissioner of Education or designee finds that the student was suspended unfairly or unjustly, or that the suspension was inappropriate given the nature of the alleged offense, or that the student suffered undue consequences or penalties, the suspension may be overturned and any reference to the suspension in school records will be expunged. Such findings shall be made in writing within ten school days of the conference.

§ 60-20-450 Expulsion

(a) Expulsion is permanent exclusion from public school attendance, school activities and school property. Expulsion shall be used only in severe cases, or where other means of corrective disciplinary action have failed, or where no other reasonable alternatives are available. An expulsion may be recommended if the student persistently engages in conduct that warrants suspension, or if the student by means of a single action evidences behavior that is serious enough to warrant removal to protect the rights or safety of others.

(b) Only the Commissioner of Education may expel a student. The principal recommending expulsion shall prepare written documentation in justification of such action.

(c) The Commissioner of Education reserves the right to exclude students for other than disciplinary reasons if the expulsion is deemed in the best interest of the student or the operation of the school (i.e. student with a contagious health problem).

(d) In the event of criminal conduct or other serious action committed by a student, the Commissioner of Education may expel the student immediately and for an unlimited period with a hearing to be held in

accordance with § 60-20-452.

(e) Prior to any expulsion ordered by the Commissioner of Education, the student shall be advised by the principal or his designee of the specific conduct resulting in the action, the student shall be given the opportunity to explain his or her version of the facts surrounding the alleged misconduct and the student shall be advised of the applicable hearing procedures.



PSS Student Attendance Policy

§ 60-20-420 Student Attendance

The Public School System recognizes two types of absences: excused or unexcused.

(a) Excused absence is absence necessitated because of illness or death in the family, or absence with the written approval of parent/guardian when such approval is not inconsistent with the academic needs of the student as determined by the principal.

(b) Unexcused absences are those which are not excused. They may generally be categorized as being of such a nature that prudence would have avoided or precluded the absence. Suspensions and expulsions are considered unexcused absences.

(c) All students who participate in sanctioned school activities that remove the student from regular classroom attendance shall be considered as present. Sanctioned activities must have an educational purpose and students must make up any lesson or assignment missed as a result of such activity. Educational purposes include the discovery and understanding of life skills, community awareness, cultural diversity, language development, natural resources, social structures, political systems, historical perspectives and character development.

(d) School principals/designees have the authority to make determination of whether or not an absence will be considered excused or unexcused.

(e) Student Absences

(1) Secondary school students (grades 7-12) who incur thirteen or more unexcused absences in a course during one semester shall be considered excessively absent and shall not receive a passing grade for that course for that semester. Students under block scheduling who incur seven or more unexcused absences during a term shall be considered excessively absent and shall not receive a passing grade for that course during that term.

(2) Secondary students who do not receive a passing grade for a semester as a result of excessive absences shall receive a “no credit” (NC or 0.00) on their academic record, irrespective of the grade the student would have received before the excessive absences. The course must be repeated and the no credit may be deleted only upon successful completion of the repeated course.

(3) Elementary school students with 25 or more absences in a school year will not receive credit and will not be promoted, unless an exemption is granted by the Commissioner.

(4) For the purpose of this section, three unexcused tardies within a term or semester from a course/class shall equal one unexcused absence from the course/class for that term or semester.

(f) Tardiness

The term tardy is defined as being late to school, class or an activity with or without permission of parent/guardian. A student is considered tardy if he/she arrives after the designated time of the class or activity, regardless of whether the student is late by five minutes or fifteen minutes. A student who misses more than half of the class or activity shall be considered absent for the entire class or activity.

(g) Counseling for Absenteeism and Tardiness Problems

The teacher should counsel those students who are developing a pattern of being absent and/or tardy. The teacher will refer to a school administrator specifically designated by the school principal to handle such

problems, those students who, in the teacher's judgment, are not making progress toward correcting the problem.

(1) Upon the first referral by a teacher, the administrator should attempt to determine the nature of the problem, inform the student and the student's parent/guardian of the absence and tardy policy and regulation.

(2) The teacher must refer the student to a school administrator and a parent conference must be held to discuss the problem and to explain the Board regulations and any appropriate discipline alternatives under the following circumstances:

(i) Under block scheduling, after the third unexcused absence or sixth tardy in a quarter.

(ii) For secondary schools without block scheduling, after the sixth tardy or sixth unexcused absence in a semester.

(iii) For elementary schools, after the sixth tardy in a semester or the sixth unexcused absence in a semester.

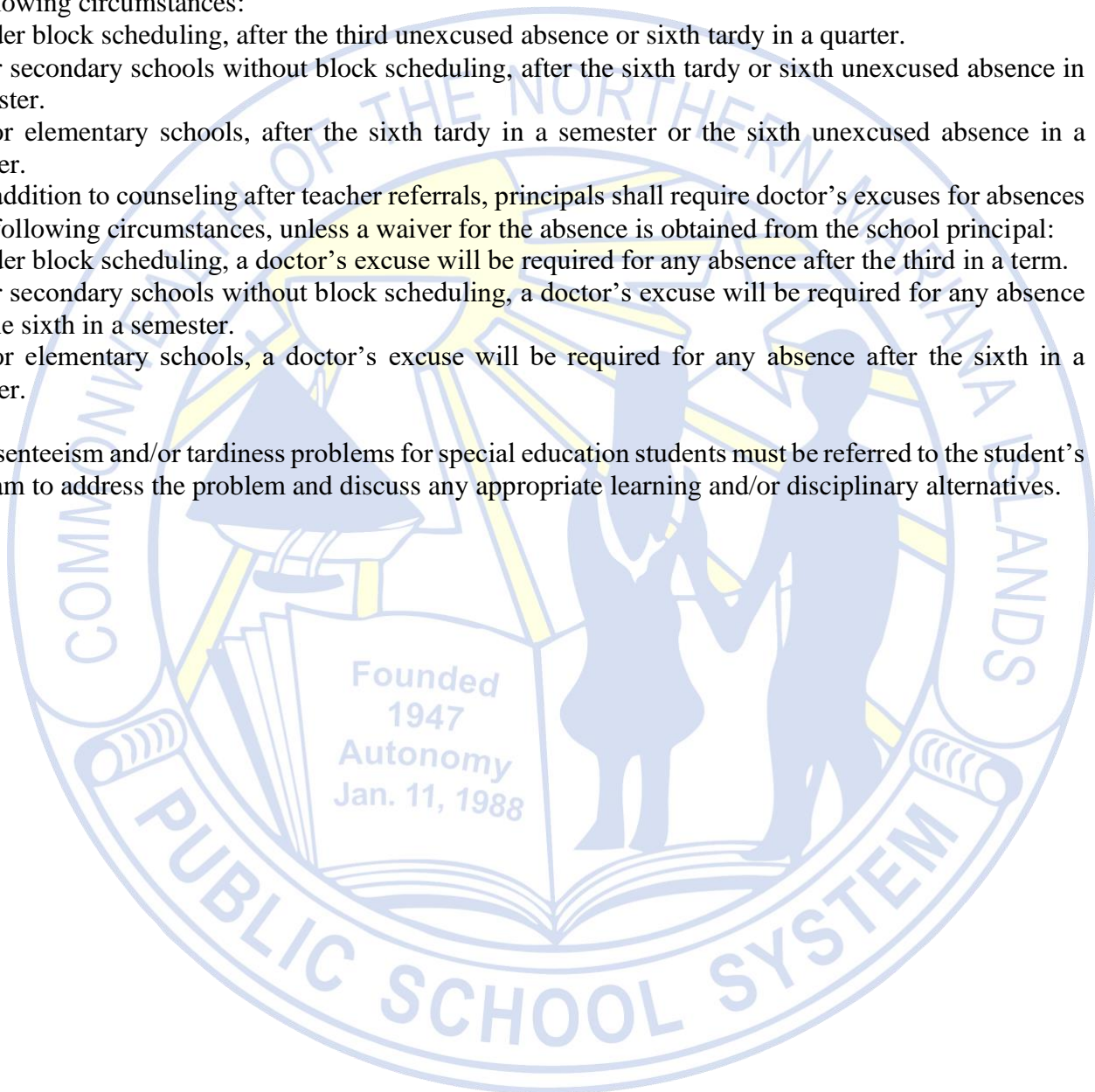
(3) In addition to counseling after teacher referrals, principals shall require doctor's excuses for absences in the following circumstances, unless a waiver for the absence is obtained from the school principal:

(i) Under block scheduling, a doctor's excuse will be required for any absence after the third in a term.

(ii) For secondary schools without block scheduling, a doctor's excuse will be required for any absence after the sixth in a semester.

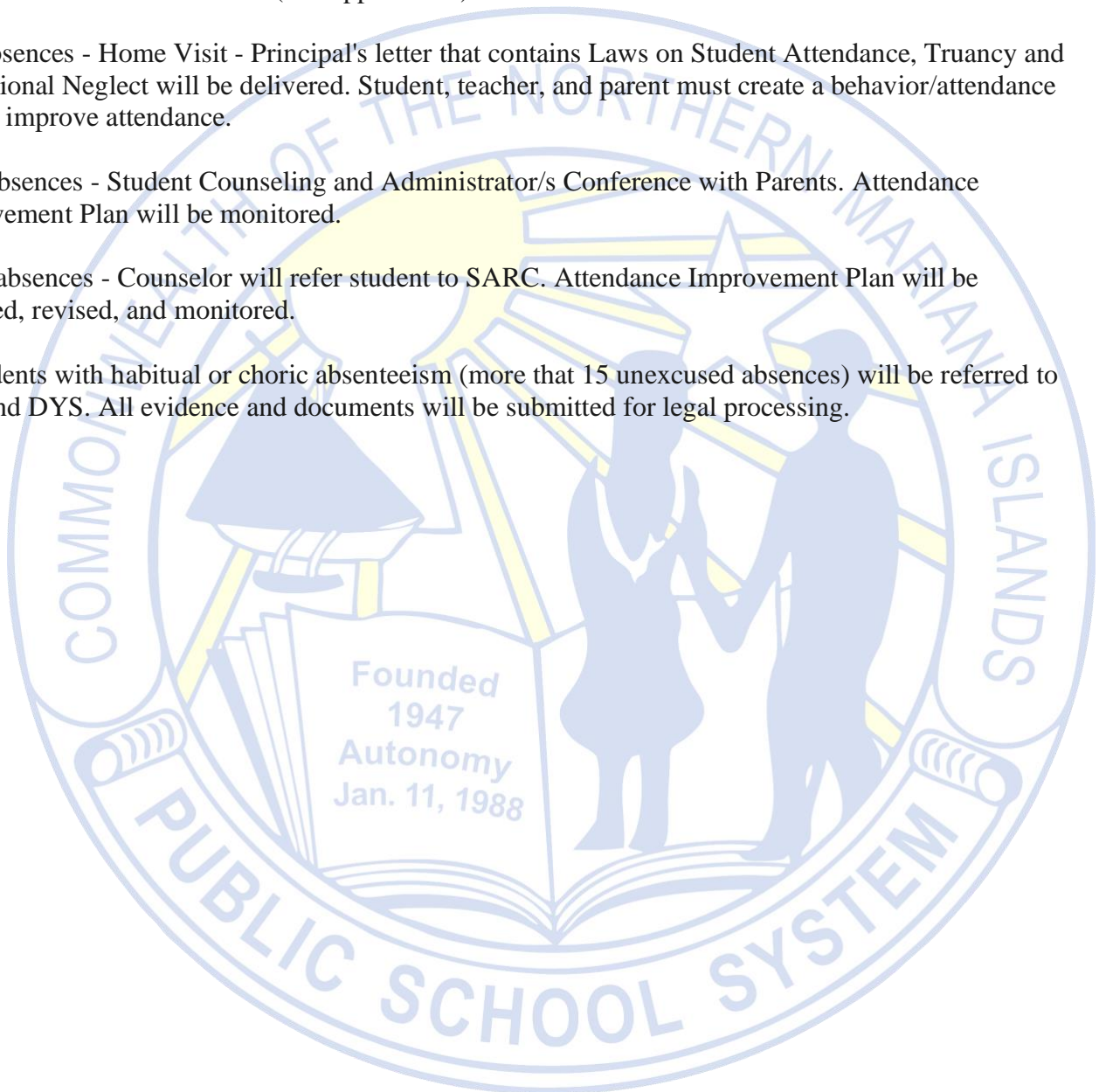
(iii) For elementary schools, a doctor's excuse will be required for any absence after the sixth in a semester.

(h) Absenteeism and/or tardiness problems for special education students must be referred to the student's IEP team to address the problem and discuss any appropriate learning and/or disciplinary alternatives.



Standard Operating Procedure for Attendance Referral

- A. 2 absences- Call parent and talk to student about the importance of attendance. Conversations will be documented. A home visit may occur and a Home-visit Form will be filled out.
- B. 3 absences - Parent-student-teacher conference. Student attendance goal setting form with parent and students will be filled out. (See appendix D)
- C. 5 absences - Home Visit - Principal's letter that contains Laws on Student Attendance, Truancy and Educational Neglect will be delivered. Student, teacher, and parent must create a behavior/attendance plan to improve attendance.
- D. 7 absences - Student Counseling and Administrator/s Conference with Parents. Attendance Improvement Plan will be monitored.
- E. 10 absences - Counselor will refer student to SARC. Attendance Improvement Plan will be revisited, revised, and monitored.
- F. Students with habitual or chronic absenteeism (more than 15 unexcused absences) will be referred to DPS and DYS. All evidence and documents will be submitted for legal processing.



PSS Student Drug Free School Policy

§ 60-20-470 Student Use of Tobacco, Alcohol, Drugs and Betel Nut

(a) Drugs and Alcohol

The possession, use, sale, distribution and/or intent to distribute any illegal or controlled mood-altering chemical, medication or abused chemical or alcohol or other intoxicants on school property, at school-sponsored events, and on school buses is prohibited.

(b) Smoking

Smoking on school campuses and on school buses at all times is prohibited. This prohibition applies to all PSS employees, campus visitors and PSS contractors.

(c) Betel-nut (Pugua)

The use, sale or distribution of betel-nut on Public School System campuses and on school buses is prohibited. This prohibition applies to all PSS employees, campus visitors and PSS contractors.

PSS Technology Use Notification Policy

§ 60-20-540 Library, Media, and Technology Services; Student Internet Usage

The CNMI - Public School System (PSS) is now offering internet access for student use. This section contains the acceptable use regulations for your use of Public School System Educational Systems Network (PSS-ESN).

(a) Educational Purpose

- (1) PSS-ESN has been established for a limited educational purpose. The term “educational purpose” in this policy and regulations includes classroom activities, career development, and limited high-quality self- discovery activities.
- (2) PSS-ESN has not been established as a public access service or a public forum. PSS has the right to place reasonable restrictions on the material you access or post through the system. You are also expected to follow the rules set forth in (disciplinary code)* and the law in your use of PSS-ESN.
- (3) You may not use PSS-ESN for commercial purposes. This means you may not offer, provide, or purchase products or services through PSS-ESN.
- (4) You may not use PSS-ESN for political lobbying. But you may use the system to communicate with elected representatives and to express your opinion on political issues.

*So in original.

(b) Student Internet Access

- (1) The PSS acceptable use policy, set forth will govern all use of the PSS-ESN. The student code of conduct will also govern student use of the system. Employee use will also be governed by (PSS policy, collective bargaining agreement).
- (2) Classroom Accounts. Elementary age students will be granted e-mail access only through a classroom account. Elementary students may be provided with an individual account under special circumstances at the request of their teacher and with the approval of their parent. An agreement will only be required for an individual account, which must be signed by the student and his or her parent. Parents may specifically request that their child(ren) not be provided access through the classroom account by notifying the PSS in writing (or whatever procedure the PSS uses for other permissions).
- (3) Individual E-mail Accounts for Students. Secondary students may be provided with individual e-mail accounts. Secondary students may have dial-up access to the system. An agreement will be required for an individual e-mail account. The student and his or her parent must sign this agreement.
- (4) All students will have access to internet world wide web information resources through their classroom, library, or school computer lab.
- (5) Students will have e-mail access only under their teacher’s direct supervision using a classroom account. Students may be provided with individual e-mail accounts under special circumstances, at the request of their teacher and with the approval of the school principal and the student’s parent/ guardian.
- (6) You and your parent/guardian must sign an account agreement to be granted an individual e-mail account on PSS-ESN. The agreement will not exceed a year in duration, but may be renewed on an annual basis. Your parent can withdraw their approval at any time.
- (7) If approved by your school principal, you may create a personal web page on PSS-ESN. All material placed on your web page must be pre-approved in a manner specified by the school. Material placed on your web page must relate to your school and career preparation activities.

(c) Parental Notification and Responsibility

(1) The PSS will notify the parents about the PSS network and the policies governing its use. Parents must sign an agreement to allow their student to have an individual account. Parents may request alternative activities for their child(ren) that do not require internet access.

(2) Parents have the right at any time to investigate the contents of their child(ren)'s e-mail files. Parents have the right to request the termination of their child(ren)'s individual account at any time.

(3) The PSS acceptable use policy contains restrictions on accessing inappropriate material. There is a wide range of material available on the internet, some of which may not be fitting with the particular values of the families of the students. It is not practically possible for the PSS to monitor and enforce a wide range of social values in student use of the internet. Further, the PSS recognizes that parents bear primary responsibility for transmitting their particular set of family values to their children. The PSS will encourage parents to specify to their child(ren) what material is and is not acceptable for their child(ren) to access through the PSS-ESN.

(4) The PSS will provide students and parents with guidelines for student safety while using the internet.

(5) (Optional, if dial-up access is provided) Parents are responsible for monitoring their student's use of the internet when they are accessing the system from home.

(d) Unacceptable Uses

The following uses of PSS-ESN are considered unacceptable:

(1) Personal Safety

(i) You will not post personal contact information about yourself or other people. Personal contact information includes your address, telephone, school address, work address, etc.

(ii) You will not agree to meet with someone you have met online without your parent's approval. Your parent should accompany you to such a meeting.

(iii) You will promptly disclose to your teacher or other school employee any message you receive that is inappropriate or makes you feel uncomfortable in any way.

(2) Illegal Activities

(i) You will not attempt to gain unauthorized access to PSS-ESN or to any other computer system through PSS-ESN or go beyond your authorized access. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing."

(ii) You will not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means. These actions are illegal.

(iii) You will not use PSS-ESN to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of person, etc.

(3) System Security

(i) You are responsible for your individual account and should take all reasonable precautions to prevent others from being able to use your account. Under no conditions should you provide your password to another person.

(ii) You will immediately notify a teacher or the school system administrator if you have identified a possible security problem. Do not go looking for security problems, because this may be construed as an illegal attempt to gain access.

(iii) You will avoid the inadvertent spread of computer viruses by following the district virus protection procedures if you download software.

(4) Inappropriate Language

- (i) Restrictions against inappropriate language apply to public messages, private messages, and material posted on web pages.
 - (ii) You will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
 - (iii) You will not post information that could cause damage or a danger of disruption.
 - (iv) You will not engage in personal attacks, including prejudicial or discriminatory attacks.
 - (v) You will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If you are told by a person to stop sending them messages, you must stop.
 - (vi) You will not knowingly or recklessly post false or defamatory information about a person or organization.
- (5) Respect for Privacy
- (i) You will not repost a message that was sent to you privately without permission of the person who sent you the message.
 - (ii) You will not post private information about another person.
- (6) Respecting Resource Limits
- (i) You will use the system only for educational and career development activities and limited, high-quality, self-discovery activities. There is no limit on use for education and career development activities. The limit on self-discovery activities is no more than 5 hours per week.
 - (ii) You will not download large files unless absolutely necessary. If necessary, you will download the file at a time when the system is not being heavily used and immediately remove the file from the system computer to your personal computer.
 - (iii) You will not post chain letters or engage in “spamming.” Spamming is sending an annoying or unnecessary message to a large number of people.
 - (iv) You will check your e-mail frequently, delete unwanted messages promptly, and stay within your e-mail quota.
 - (v) You will subscribe only to high quality discussion group mail lists that are relevant to your education or career development.
- (7) Plagiarism and Copyright Infringement
- (i) You will not plagiarize works that you find on the internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.
 - (ii) You will respect the rights of copyright owners. Copyright infringement occurs when you inappropriately reproduce a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, you should follow the expressed requirements. If you are unsure whether or not you can use a work, you should request permission from the copyright owner. Copyright law can be very confusing. If you have questions ask a teacher.
- (8) Inappropriate Access to Material
- (i) You will not use PSS-ESN to access material that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination towards other people (hate literature). A special exception may be made for hate literature if the purpose of your access is to conduct research and both your teacher and parent have approved.
 - (ii) When you mistakenly access inappropriate information, you should immediately tell your teacher or school administrator (or disclose this access in the manner specified by your school). This will protect you against a claim that you have intentionally violated this section.
 - (iii) Your parents should instruct you if there are additional materials that they think are inappropriate for you to access. You and your parent/guardian should inform your teacher of such materials. PSS fully expects that you will follow your parent’s instructions in this matter.
- (9) Consequences or Unacceptable Uses

- (i) Your classroom teacher, your school administrator, or the PSS Technology Coordinator may revoke your privileges under this policy for any unacceptable uses, including uses not specifically listed herein.
- (ii) Unacceptable uses by a student may result in disciplinary action, including suspension or expulsion.
- (iii) Any illegal uses may be reported to the Department of Public Safety or the Federal Bureau of Investigations.

(e) Your Rights

(1) Free Speech

Your right to free speech applies to your communication on the internet. The exercise of your free speech rights may not disrupt the educational process. The PSS-ESN is considered a limited forum, similar to the school newspaper, and therefore PSS may restrict your speech for valid educational reasons. PSS will not restrict your speech on the basis of a disagreement with the opinions you are expressing.

(2) Searches and Seizure

- (i) You should expect only limited privacy in the contents of your personal files on the PSS system. The situation is similar to the rights you have in the privacy of your locker.
- (ii) Routine maintenance and monitoring of PSS-ESN may lead to discovery that you have violated this section, the student disciplinary code, or the law.
- (iii) An individual search will be conducted if there is reasonable suspicion that you have violated this section, the student disciplinary code, or the law. The investigation will be reasonable and related to the suspected violation.
- (iv) Your parents have the right at any time to request to see the contents of your e-mail files.

(3) Due Process

- (i) PSS will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through PSS-ESN.
- (ii) In the event there is a claim that you have violated this section or student disciplinary code in your use of the PSS-ESN, you will be provided the due process and hearing rights set forth in the student disciplinary regulations. Additional restrictions may be placed on your use of your internet account.

(f) Limitation of Liability

PSS makes no guarantee that the functions or the services provided by or through the PSS system will be error-free or without defect. PSS will not be responsible for any damage you may suffer, including but not limited to, loss of data or interruptions of service. PSS is not responsible for the accuracy or quality of the information obtained through or stored on the system. PSS will not be responsible for financial obligations arising through the unauthorized use of the system.

(g) Personal Responsibility

When you are using the PSS-ESN, it may feel like you can more easily break a rule and not get caught. This is not really true because whenever you do something on a network you leave little “electronic footprints,” so the odds of getting caught maybe even more likely than they are in the real world. But the fact that you can do something or think you can do something without being caught does not make it right to do so. Even if you don’t get caught, there is always one person who will know whether you have done wrong — and that person is you. Your use of the internet can be a mirror that will show you what kind of a person you are. Please enjoy learning from your internet access but remember to use this privilege wisely.

Modified, 1 CMC § 3806(d), (f), (g).

History: Amdts Adopted 23 Com. Reg. 18263 (Aug. 16, 2001); Amdts Proposed 23 Com. Reg. 17965 (June 19, 2001).

Commission Comment: In subsection (b)(3), the Commission inserted the final period. In subsection (d)(2)(i), the Commission moved the final period inside of the closing quotation mark and in subsection (d)(6)(iii), the Commission moved the period after “spamming” inside of the closing quotation mark to correct manifest errors.

PSS Promotion Policy

§ 60-20-432 Promotion and Retention

(a) Promotion

A student will be promoted to the next grade level when he/she satisfactorily completes the instructional curriculum in a particular grade. Satisfactory completion shall mean:

(1) Elementary School

An elementary school student shall be promoted when he/she meets the minimum requirements as established by the Commonwealth standards and benchmarks as outlined in the policies and regulations regarding instruction and curriculum.

(b) Retention

(1) Any student not satisfying the above requirements shall be retained with two exceptions:

(i) The Commissioner may waive the promotion requirements based on extenuating circumstances such as illness or other unavoidable circumstances.

(ii) For students who have been retained at any time during their experience in the CNMI public school system, a child study team shall review the performance of the student to determine the appropriate placement.

(2) When reviewing the retention of a student for the second time, the child study team shall consider the following factors:

(i) Academic achievement in all subject areas, especially attainment of grade level objectives, as determined by tests, teacher assignment, and work samples.

(ii) Chronological age.

(iii) Study habits.

(iv) Attendance.

(v) Social and emotional maturity.

(3) During the school year following any retention of a student, a child study team shall meet no less than two times to review the performance and progress of the student.

(c) Notification As soon as possible after it is determined that a student is not going to satisfactorily complete the instructional curriculum for that semester, the teacher and counselor shall notify the principal. The principal shall notify the parent/guardian and a meeting will be scheduled. The parent/guardian will be informed that the student is not meeting grade level expectations and will be referred to the child study team to determine the appropriate interventions.

(d) Out of Grade Promotion The principal in consultation with a teacher and counselor shall consider out of grade promotions only after the completion of the first semester of a school year. Out of grade promotions will be based on the following criteria: (1) A student must maintain between a 3.7 to a 4.0 GPA for the first semester of the year; (2) A student must take a U.S. standardized aptitude, achievement or subject area test and score in the 90th percentile of U.S. norm or local norm whichever is applicable; and (3) The teacher(s) from whom the student receives at least fifty percent of direct instruction shall recommend in writing an out of grade level promotion to the principal. The recommendation shall include a student observation report, periodic student class tests, initial language placement test results, and such other documents as requested by the principal.

§ 60-20-434 Promotion and Graduation Requirements

- (a) A student shall be promoted to the next higher grade level when he/she meets the minimum requirements as established by the Commonwealth Standards and Benchmarks as outlined in the policies and regulations regarding instruction and curriculum.

Subject	6th	7th	8th
<p>English Language Arts</p> <p>•English Language Arts in grades 6th, 7th & 8th grade integrate literature, informational text, foundation skills, writing, speaking & listening as outlined in the Common Core. The standards are similar from one grade to the next, but become more rigorous in terms of the tasks.</p>	<p>Language Arts 1</p> <p>•Core Emphasis:</p> <p>*The information is too large. Please hold Ctrl + Click to see the hyperlink.</p> <p>http://www.corestandards.org/ELA-Literacy/RL/6</p>	<p>Language Arts 2</p> <p>•Core Emphasis:</p> <p>*The information is too large. Please hold Ctrl + Click to see the hyperlink.</p> <p>http://www.corestandards.org/ELA-Literacy/RL/7</p>	<p>Language Arts 3</p> <p>•Core Emphasis:</p> <p>*The information is too large. Please hold Ctrl + Click to see the hyperlink.</p> <p>http://www.corestandards.org/ELA-Literacy/RL/8</p>
<p>Mathematics</p> <p>•Mathematic standards in grade 6th, 7th & 8th in the Common Core are integrated. For example, there isn't a distinction between Algebra and Pre-Algebra or</p>	<p>Mathematics I</p> <p>(1) connecting ratio and rate to whole number multiplication and division and using concepts of ratio and rate to solve problems;</p> <p>(2) completing</p>	<p>Mathematics II</p> <p>(1) developing understanding of and applying proportional relationships;</p> <p>(2) developing understanding of operations with rational numbers</p>	<p>Mathematics III</p> <p>(5) developing understanding of and applying proportional relationships;</p> <p>(6) developing understanding of operations with rational numbers and</p>

<p>Geometry. Rather, the standards address components of each umbrella progressively. With each grade, more concepts from different components of math are added and tasks that draw correlations between the components address the integration and rigor.</p>	<p>understanding of division of fractions and extending the notion of number to the system of rational numbers, which includes negative numbers; (3) writing, interpreting, and using expressions and equations; and (4) developing understanding of statistical thinking</p>	<p>and working with expressions and linear equations; (3) solving problems involving scale drawings and informal geometric constructions, and working with two- and three-dimensional shapes to solve problems involving area, surface area, and volume; and (4) drawing inferences about populations based on samples.</p>	<p>working with expressions and linear equations; (7) solving problems involving scale drawings and informal geometric constructions, and working with two- and three-dimensional shapes to solve problems involving area, surface area, and volume; and (8) drawing inferences about populations based on samples.</p>
<p>Science</p> <p>•Earth & Space, Life and Physical Sciences, and Engineering will be taught with increasing depth and sophistication in each grade level</p>	<p>Science I</p> <p>(9) Earth & Space Science: Earth systems; Weather & Climate; Human Impacts on the Environment (10) Life Science: Genetics; Growth, Develop & Reproduction of organisms (11) Physical Science: Energy; Waves & Electromagnetic Radiation (12) Engineering Design</p>	<p>Science II</p> <p>(1) Earth & Space Science: History of Earth; Earth systems; Human Impacts on the Environment (2) Life Science: Ecosystems (3) Physical Science: Matter; Chemical Reactions (4) Engineering Design</p>	<p>Science III</p> <p>(1) Earth & Space Science: History of Earth; Earth systems; Human Impacts on the Environment (2) Life Science: Genetics; Natural Selection (3) Physical Science: Forces & Interaction; Waves & Electromagnetic Radiation (4) Engineering Design</p>
<p>Social Studies</p> <p>•The CNMI has local standard for Social Studies. These</p>	<p>Pacific Regional History</p> <p>Students will be explore the history of</p>	<p>World History, Civilizations & Geography</p> <p>World physical and</p>	<p>Civics & Economics Values and Principles of American Democracy and the nature and role of</p>

standards regulate the course of student specific to each grade level.	the pacific Oceania region and draw correlations to the significance of the CNMI.	cultural terms and geographic features and world chronological events and their relationships	government and citizenship.
<p>Foreign Language</p> <p>*•In the both the</p> <p>(13) ommunication - Interpersonal, Interpretive, and Presentational</p> <p>(14) ultures - Practices and Perspectives, and Products and Perspectives</p> <p>(15) onnections - Knowledge of Other Disciplines and distinctive Viewpoints</p> <p>(16) omparisons - Nature of Language and Culture</p> <p>(17) amily and Community - Beyond the School Setting and Life-long Learners</p>	<p>Chamorro/ Carolinian Language Heritage Studies I</p> <p>Linguistic Comparison: Compare word roots to determine word meaning and address cultural investigation as well as practice in speaking, listening, & writing in Chamorro or Carolinian.</p>	<p>Chamorro/ Carolinian Language Heritage Studies II</p> <p>Linguistic Comparison: Identify prefixes and suffixes to determine word meanings and identify and discuss less familiar cognates and sentence structure comparisons to improve language skills; additionally, student will continue to investigate Chamorro or Carolinian mores and continue practicing speaking, listening, and writing in either language.</p>	<p>Chamorro/ Carolinian Language Heritage Studies III</p> <p>Linguistic Comparison: Identify and discuss less familiar cognates and sentence and structure comparisons to improve language skills. Student will continue to discuss the cultural values and mores and practice reading, writing, and speaking in Chamorro or Carolinian.</p>
<p>Physical & Health Education (1 semester)</p> <p>Student will explore movement, health and wellness, physical</p>	<p>Physical & Health Education I (1 semester)</p> <p>Student will explore movement, health and wellness,</p>	<p>Physical & Health Education II (1 semester)</p> <p>In order to continue to promote health and wellness student will</p>	<p>Physical & Health Education III (1 semester)</p> <p>In order to continue to promote health and wellness, student will</p>

<p>fitness, explore personal and social behaviors and interactions. The curriculum will address healthy lifestyles practices that address adolescent development.</p>	<p>physical fitness, explore personal and social behaviors and interactions. The curriculum will address healthy lifestyles practices that address adolescent development.</p>	<p>continue to explore movement, health and wellness, physical fitness, explore personal and social behaviors and interactions. The curriculum will address healthy lifestyles practices that address adolescent development.</p>	<p>explore movement, health and wellness, physical fitness; explore personal and social behaviors and interactions. The curriculum will address healthy lifestyles practices that address adolescent development.</p>
<p>Computer Literacy (1 semester)</p> <p>•In order to address the technology standards, the recommendation is to have student complete two years of course work in computer literacy to address the 6 technology standards. Additionally, the recommendation is to have student complete this course work prior to the 8th grade.</p>	<p>Computer Literacy I (1 semester)</p> <p>•The essential goal of CNMI PSS Technology Plan is founded on improving student achievement through the use of technology. By the year 2015, every student in the CNMI PSS will achieve technology literacy by being able to use computers and other technology to improve learning, productivity, and performance across all content areas. The objective is to have 95% of 8th grade students meeting or exceeding standards for technology literacy.</p> <p>Students will demonstrate</p>	<p>Computer Literacy II (1 semester)</p> <p>•The essential goal of CNMI PSS Technology Plan is founded on improving student achievement through the use of technology. By the year 2015, every student in the CNMI PSS will achieve technology literacy by being able to use computers and other technology to improve learning, productivity, and performance across all content areas. The objective is to have 95% of 8th grade students meeting or exceeding standards for technology literacy.</p> <p>Students will demonstrate</p>	<p>Computer Literacy III (1 semester)</p> <p>•The essential goal of CNMI PSS Technology Plan is founded on improving student achievement through the use of technology. By the year 2015, every student in the CNMI PSS will achieve technology literacy by being able to use computers and other technology to improve learning, productivity, and performance across all content areas. The objective is to have 95% of 8th grade students meeting or exceeding standards for technology literacy.</p> <p>Students will demonstrate developmentally appropriate technology operations and concepts, use of basic</p>

	developmentally appropriate technology operations and concepts, use of basic applications and tools, use of research tools, ability to use telecommunications, use of technology in problem solving and decision making skills, and knowledge of social, ethical, and human issues.	developmentally appropriate technology operations and concepts, use of basic applications and tools, use of research tools, ability to use telecommunications, use of technology in problem solving and decision making skills, and knowledge of social, ethical, and human issues.	applications and tools, use of research tools, ability to use telecommunications, use of technology in problem solving and decision making skills, and knowledge of social, ethical, and human issues.
<p>Career and Technical Education Program (1 semester)</p> <p>Students will explore career and workforce related subjects. Additionally, they will be given the opportunity to learn and apply successful professional and vocational practices.</p>	<p>Must complete 1 semester College and Career Technical Courses per year in either one of the following courses:</p> <ul style="list-style-type: none"> ○ Leadership Corps ○ Family and Consumer Science ○ Architecture and Construction ○ Business Education ○ Introduction to College ○ Career Exploration 		
<p>Fine Arts (1 semester)</p> <p>Student will be given an opportunity to explore the visual and performing arts, music, graphic design, and other artistic mediums where available.</p>	<p>Must complete a 1 semester of Fine Arts per year in the either one of the following courses:</p> <ul style="list-style-type: none"> ○ Performing Arts ○ Integrated Art ○ Music ○ Graphic Design 		

(a) Graduation Requirements for High School Level

A minimum of twenty-eight credits will be required for graduation from the 12th grade. Required subjects constitute twenty-three credits and are as follows:⁺

English	8 credits
Integrated literature and composition 9th grade	2
Integrated literature and composition 10th grade	2
Technical research/business writing 11th grade	1
American literature 11th grade	1
British literature 12th grade	2
Mathematics	6
Algebra I, geometry, algebra II	
Social Studies	3
NMI history, US/world history and US government/economics	
Science	3 ⁺
Environmental science, biology, chemistry	
Physical Education	2 ⁺⁺
Language other than English	1
TOTAL	23

⁺ The [2005] amendments to this subsection shall be effective for students entering ninth grade school year 2005- 2006.

⁺⁺ 1 credit of JROTC may be substituted for 1 credit of physical education. 0.5 credits of the physical education credits must include a health course.

(b) Residency Requirement

A student must have completed at least one semester immediately prior to obtaining a high school diploma. A student must be enrolled as a full-time student.

§ 60-20-436 Ceremonies and Awards

High school graduation ceremonies will be held at the end of each school year.

(a) Valedictorian and the Salutatorian

During the graduation ceremony, two students who are school’s highest achievers shall deliver the valedictory and salutatory speeches. The Valedictorian shall have earned the highest grade point average at the school. The Salutatorian shall be the student with the second highest grade point average at the school. Both the Valedictorian and the Salutatorian must meet the following criteria:

- (1) The student must be enrolled for three complete school years in any public high school in the CNMI.
- (2) Students achieved the highest and second highest grade point averages in all courses for graduation as computed in percentages;
- (3) The students must not have taken a remedial course or repeated a course during the last three years of high school.
- (4) The students’ completed courses must include a minimum of fifty percent honor or AP courses in the core subject areas of language arts, math, science and social studies offered during the students enrollment

with the high school unless such courses are not offered.

- (5) The students must not have had significant disciplinary problems as determined by the principal.
- (6) If either of the students with the highest grade point average do not qualify, the award shall go the student with the highest grade point average who meets the criteria.

(b) High School Graduation Awards⁺

The following awards may be distributed during graduation. Any other awards will be distributed during special award ceremonies. The graduation awards may include:

- (1) The Board of Education Award shall go the Valedictorian.
- (2) The Commissioner's Award shall go the Salutatorian.
- (3) The Presidential Academic Fitness Awards (PAFA) shall go to the student who meets the requirements as stipulated in the PAFA.
- (4) The Principal's Award shall go to the student who meets the requirements as established by the principal.
- (5) The Educational Achievement/Top Ten Award shall go to the Valedictorian, the Salutatorian and the next eight students with the highest grade point averages as computed in percentage. These students must have attended any public high school for three years in the CNMI. Student who are in the top ten must not have taken remedial courses or repeated any course.
- (6) Honorable Mention shall go to the students who would have earned the Educational Achievement/Top Ten Award but have not met the school attendance requirement of three years shall be accorded honorable mention during the graduation ceremony and awards may be presented as appropriate.

(c) Special Award Ceremonies⁺

Special award ceremonies may beheld to honor and recognize students who are eligible for any other awards. Special awards may include:

- (1) Department Awards
Department awards shall be presented to the two highest achievers for each academic department and the highest in each vocational education department in terms of grade point average as computed in percentage.
- (2) Outstanding Female Graduate (OFEGRA)
This award shall be presented to a graduating female student based on the criteria established by the Office of Women's Affairs, the school principal, teachers and counselors, and concurred by the Board of Education.
- (3) School Leadership/Governor's Award
This award shall be given to the graduating student who exhibits the highest leadership qualifies as determined by the principal, counselor and teaching staff.
- (4) Parents/Teachers Association Award
This awards shall be presented to graduating students who meet the criteria established by the PTA.

(d) 8th Grade Special Awards⁺

- (1) Board of Education's and Commissioner's Awards
These awards go to the two highest grade point average holders as computed in percentage, respectively. These students must be enrolled in a CNMI public school in the 7th and 8th grade. These students must not have taken any remedial courses or repeated any courses.
- (2) President Academic Fitness Awards (PAFA) These awards are determined by the PAFA requirements.
- (3) Subject Awards
Students who maintained the highest grade point average in the respective subject areas as computed in percentage for the last two years, 7th and 8th grades.
- (4) School Leadership Award

A leadership award shall be presented to the student who exhibits leadership qualities as determined by the principal, counselor and teaching staff.

(5) Honorable Mention

This recognition shall be given to those students who would have received the Board of Education or the Commissioner's Award but who did not attend the respective school for both the 7th and 8th grade.

⁺Each school may establish additional written criteria for the selection of graduation and special awards recipients. Schools may refuse to offer awards to qualified students for disciplinary reasons.

Form 2420 FERPA Educational Rights Annual Notification

The Family Educational Rights and Privacy Act (FERPA) affords parents 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 5 days after the day a school of the CNMI Public School System receives a request for access.**

Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal a written request that identifies the records they wish to inspect. The school principal or designated school official (i.e. Vice Principal, School Registrar) 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 the student's 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 may ask the PSS 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 PSS school decides not to amend the record as requested by the parent or eligible student, the PSS school will notify the parent 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 or eligible student when notified of the right to a hearing.

- 3. The right to provide written consent to disclosures of personally identifiable information (PII) 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 CNMI Public School System as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the PSS has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the PSS may disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. **Upon request, parents are entitled to a copy of the complete Board of Education policies and regulations regarding student records. Please contact the school's principal for a copy.**

5. **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 20202-4605

Form 2420.1 FERPA Notice of Designation of Directory Information

The CNMI Public School System has designated certain information contained in the education records of its students as directory information for purposes of the Family Educational Rights and Privacy Act (FERPA).

The following information regarding students is considered directory information: (1) name, (2) address, (3) telephone number, (4) date and place of birth, (5) major field of study, (6) participation in officially recognized activities and sports, (7) weight and height of members of athletic teams, (8) dates of attendance, (9) degrees and awards received, (10) most recent previous school attended by the student, (11) photograph.

Directory information may be disclosed by the Public School System for any purpose in its discretion without the consent of a parent of a student or an eligible student. Parents of students and eligible students have the right, however, to refuse to permit the designation of any or all of the above information as directory information. In that case, this information will not be disclosed except with the consent of a parent or student, or as otherwise allowed by FERPA.

Any parent or student refusing to have any or all of the designated directory information disclosed must file written notification to this effect with the principal of the school which the student attends.

In the event a notification of refusal is not filed, the Public School System assumes that neither a parent of a student or an eligible student objects to the release of the directory information designated.

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures.

A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))

- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as “directory information” if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student’s case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

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

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, 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. Sex 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 student’s parent; 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 collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- **Inspect, upon request and before administration or use –**
 1. Protected information surveys of students and surveys created by a third party;
 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 CNMI Public School System will develop policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. **The CNMI Public School System** will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. **The CNMI Public School System** will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. **The CNMI Public School System** will make this notification to parents at the beginning of the school year if the District 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 listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- 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, D.C. 20202

Student Transfer Policy

§ 60-20-418 Transfers to Different Schools/Zones

The Board of Education understands that parents and students may move to different islands or different villages during their child's school years. While the Board suggests that parents avoid changing their child's school in the middle of an academic year, on occasion, a transfer may be unavoidable due to certain family circumstances. In order to honor the request for transfer while protecting the academic needs of the student and minimizing the disruption of the educational process, the Board has adopted this section. This section sets forth the transfer process.

- (a) Request for student transfers during the school year must be submitted to and approved by the principal of both the releasing and the receiving school. The releasing and the receiving principal must communicate regarding the requested transfer. The two principals, in consultation with the school counselor as appropriate, will examine the academic needs of the student and the effect of the transfer on the school and the educational process before approving transfer requests. More than one transfer request by a student in a single school year may be rejected by the PSS and may be referred to the proper authorities in cases of suspected educational neglect.
- (b) Transfer requests must be submitted at least fifteen school days in advance of the proposed transfer. Such requests will not be approved during the final ten school days of any quarter of both schools unless there are extenuating circumstances.

Students transferring during the summers must notify the releasing school and meet the registration requirements and deadlines of the receiving school.

§ 60-20-430 Grade Placement for Transfer Students

- (a) All students entering the PSS from other educational settings are required to submit evidence of their achievement in the last grade attended, such as a copy of a transcript or report card. Grade placement of a student may be adjusted on the basis of examination of the student's previous record, achievement tests administered, or other factors, which the principal and staff believe are appropriate under the circumstances.
- (b) A student shall not be enrolled at any Public School System school without an official transcript or other official school verification of achievement from the previous school. However, a student may be permitted to enroll temporarily until an official record is obtained. A grace period of up to one month may be granted in the case of extenuating circumstances or unusual situations.
- (c) Transfer of Credits
 - (1) Religious courses will be accepted for credit using the following guidelines:
 - (i) No more than one (1) credit will be accepted as a transfer credit.
 - (ii) Any religious credit transferred will be counted toward, and factored into the student's overall PSS grade point average (GPA).
 - (2) Courses taken outside of the Public School System may be transferred which meet any of the following criteria:
 - (i) It is an U.S. accredited institution;
 - (ii) The institution's primary language of instruction is English;
 - (iii) The subject area coverage and time allotment are parallel to PSS; or
 - (iv) Credit by examination may be used as appropriate.