



2000 - Operations

01 - Civil Rights Disclosure

1. Equal Educational and Employment Opportunity

It is the policy of Providence Hall Charter School (PHCS) to provide equal educational and employment opportunities for all individuals. Therefore, PHCS prohibits all discrimination on the basis of race, color, religion, sex, age, national origin, sexual orientation, disability, or veteran status. This policy extends to all aspects of PHCS' educational programs, as well as to the use of all PHCS facilities, and participation in all PHCS-sponsored activities. Any individual who initiates a good faith complaint under these protections will not incur retaliatory measures.

2. Civil Rights Complaint Procedure

Complaints of discrimination should be filed with the individual's principal or supervisor and/or with the PHCS Compliance Officer according to the provisions of the PHCS Civil Rights/Section 504 Grievance Procedure. If the complaint is against the principal or supervisor, the complaint may be filed directly with the PHCS Compliance Officer.

The individuals who have been designated to monitor and coordinate the PHCS compliance with Title VI, Title IX, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and all other applicable State and Federal civil rights laws, may be reached at the following address and telephone numbers:

Title VI, Title XI and Civil Rights Issues

Employees

Ian Falkner

EMAIL: ifalkner@providencehall.com

TEL: (801) 727-8260

Providence Hall Charter School

4557 W. Patriot Ridge Dr.

Herriman, Utah 84096

Students

Neal Porter

EMAIL: nporter@providencehall.com

TEL: (801) 727-8260

Providence Hall Charter School

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Student ADA Issues

SPED Director

Monica Brown

EMAIL: mbrown@providencehall.com

TEL: (801) 727-8260

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4557 W. Patriot Ridge Dr.

Herriman, Utah 84096

504 Coordinator

Nate Marshall

EMAIL: nmarshall@providencehall.com

TEL: (801) 727-8260

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Discrimination complaints should be reported as soon as possible, but no later than ninety (90) days after the incident(s) in order to be effectively investigated and resolved.



3. Accommodations for Individuals with Disabilities

In compliance with Section 504 of the Rehabilitation Act (504) and the Americans with Disabilities Act (ADA), PHCS will provide reasonable accommodations to qualified individuals with disabilities. Students, parents/guardians, or employees needing accommodations should contact their school principal or supervisor. Or you may contact the ADA Coordinator named above in section 2 for parent/guardian or employee accommodations or the 504 Coordinator named above in section 2 for student accommodations.

4. Civil Rights/Section 504 Grievance Procedure

4.1. **Local Procedure**

- 4.1.1. **Step 1:** A written grievance signed by the complainant shall be submitted to the appropriate Coordinator. The Coordinator shall further investigate the matters of grievance and reply in writing to the complainant within ten (10) business days.
- 4.1.2. **Step 2:** If the complainant wishes to appeal the decision of the Coordinator, (s)he may submit a signed statement of appeal to the Executive Director within ten (10) business days after receipt of the Coordinator's response. The Executive Director shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.
- 4.1.3. **Step 3:** If the complainant is not satisfied, (s)he may appeal through a signed statement to the PHCS Board of Trustees (Board) within ten (10) business days of her/his receipt of the Executive Director's response in Step 2 (4.1.2.). In an attempt to resolve the grievance, the Board will meet with the concerned parties and their representative within forty (40) days of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting.

4.2. **State Procedure**

The complainant may contact the Educational Equity Coordinator at the Utah State Office of Education. The contact information for the coordinator is as follows:

250 East 500 South

Salt Lake City, Utah 84114-4220

TEL: (801) 538-7500

WEB: <https://www.schools.utah.gov/educationalequity>

4.3. **Federal Procedure**

The complainant may file a complaint with the Office for Civil Rights (OCR) at any time before, during, or after the local grievance procedure. The contact information for the office is as follows:

U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
TEL: (303) 844-5695
FAX: (303) 844-4303
TDD: (800) 877-8339
EMAIL: OCR.Denver@ed.gov

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Educ Bldg
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
TEL: (800) 421-3481
TDD: (877) 521-2172
EMAIL: OCR@ed.gov
WEB: <https://www2.ed.gov/about/offices/list/ocr/index.html>



5. **Safe and Orderly Schools**

It is the policy of PHCS to promote a safe and orderly school environment for all students and employees. Criminal acts or disruptive behavior of any kind will not be tolerated and any individual who engages in such activity will be subject to school disciplinary action as determined by school administrators, PHCS disciplinary action as determined by the Executive Director, police referral and/or prosecution. In determining appropriate discipline, school officials will consider the totality of the circumstances, including the severity of the offense, as well as the individual's age, disability status, intent, academic status, and prior disciplinary record.

6. **Extracurricular Activities**

Participation in interscholastic athletics, cheerleading, marching band, student government, student clubs, graduation ceremonies, and other extracurricular activities is not a constitutionally protected civil right. Therefore, students who are suspended, transferred to an alternative placement, or expelled, may lose the privilege of participation in all extracurricular activities during the period of discipline and will not be afforded due process procedures to challenge the denial of participation.

7. **Access to Facilities**

The use of school buildings and grounds is granted pursuant to the Utah Civic Center Statutes at Utah Code (UC) 53G-7-209-210. Approval under this policy is a PERMIT and grants PHCS full legal immunity under the Government Immunity Act of Utah pursuant to UC 63G-7-301. All groups have equal access to use PHCS facilities via the PHCS' Facility Use Packet (<https://providencehall.com/about-us/policies/>).

8. **Harassment/Hazing**

Students may be suspended, transferred to an alternative placement, expelled, referred for police investigation, and/or prosecuted for engaging in any physical or verbal aggression, intimidation, initiation, or discrimination of any school employee or student or school-related activity regardless of location or circumstance, including but not limited to bullying, hazing, or sexual, racial, ethnic, religious or disability-related harassment. Refer to the Bullying, Hazing, and Harassment Policy here (<https://providencehall.com/about-us/policies/>).

9. **Search and Seizure**

- 9.1. School officials have the authority to search a student's person, personal property, or vehicle while located on school property or at a school-sponsored activity when they have reason to believe that the search will turn up evidence that the student has violated or is violating a particular law or school rule.
- 9.2. Students have no right or expectation of privacy in school lockers. School lockers are the sole property of the PHCS. Periodic inspections of lockers, including the use of drug-detecting canines, may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant.
- 9.3. Refer to PHCS' the Search and Seizure Policy here <https://providencehall.com/about-us/policies/>.



10. Compulsory Education Requirements

A parent/guardian having custody over a school-age minor is required under State law to enroll and send a school-age minor in a public or established private school during the school year in the district in which the minor resides. The process of education requires continuity of instruction, class participation, and study. Frequent absences from classes disrupt the instructional process. Parents/guardians are encouraged to work with the school in promoting the regular attendance of all students.

11. Religious Expression in Public Schools

In compliance with existing federal and state law regarding religion and religious expression in public schools, PHCS or the school may neither advance nor inhibit religion. It is PHCS' policy to 1) allow students and employees to engage in the expression of personal religious views or beliefs within the parameters of current law, and 2) maintain the schools' official neutrality regarding sectarian religious issues according to the constitutional principle of separation between church and state.

12. Rights Under the Protection of Pupil Rights Amendment

- 12.1. The Protection of Pupil Rights Amendment (PPRA) affords parents/guardians certain rights regarding the use of surveys or other school activities which may involve the collection or use of protected information. These include the right to:
 - 12.1.1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas:
 - 12.1.1.1. Political affiliations or beliefs of the student or student's parent;
 - 12.1.1.2. Mental or psychological problems of the student or student's family;
 - 12.1.1.3. Sexual behavior, orientation or attitudes;
 - 12.1.1.4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - 12.1.1.5. Critical appraisals of others with whom respondents have close family relationships;
 - 12.1.1.6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 - 12.1.1.7. Religious practices, affiliations, or beliefs of the student or parents; or
 - 12.1.1.8. Income, other than as required by law to determine program eligibility.
 - 12.1.2. Receive notice and an opportunity to opt a student out of activities involving collection, disclosure, or use of personal information obtained from students regarding any of the protected information areas.
 - 12.1.3. Inspect, upon request and before administration or use of:
 - 12.1.3.1. Protected information surveys designed to be administered to students; and
 - 12.1.3.2. Instructional material used as part of the educational curriculum.
- 12.2. PHCS has policies in place to protect student privacy as required by both state and federal law (<https://providencehall.com/about-us/policies/>). The school will directly notify you of the specific or approximate dates of activities that involve the collection or use of protected information, and provide an opportunity to opt your student out of participating in such activities.
- 12.3. Parents/guardians who believe their rights have been violated may contact the school's administration or file a complaint with:
 - U.S. Department of Education
 - Student Privacy Policy Office



400 Maryland Avenue, SW

Washington, D.C. 20202-8520

WEB: <https://studentprivacy.ed.gov/file-a-complaint>

13. **Rights Under the Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and eligible students (over the age of 18, married, legally emancipated, or enrolled in postsecondary education programs) certain rights with respect to the student's education records. They are:

- 13.1. The right to inspect and review the student's education records within forty-five (45) days of the day PHCS receives a request for access. Parents/guardians or eligible students should follow the "Request to Review Students Records" section (4.2.) in PHCS' FERPA Board Policy, Student Records, Privacy Rights & Release of Information (<https://providencehall.com/about-us/policies/>).
- 13.2. The right to request the amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate or misleading. Parents/guardians or eligible students should follow the "Request to Amend Student Records" section (4.4.) in PHCS' FERPA Board Policy, Student Records, Privacy Rights & Release of Information (<https://providencehall.com/about-us/policies/>).
- 13.3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by PHCS as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom PHCS has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent/guardian or a 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.
- 13.4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.
U.S. Department of Education
Student Privacy Policy Office
400 Maryland Avenue, SW
Washington, D.C. 20202-8520
WEB: <https://studentprivacy.ed.gov/file-a-complaint>
- 13.5. Personal information about students, known as "directory information", can be made public. This information may include a student's name, address, telephone number, email address, photographs, date and place of birth, grade level, awards, honors, and other information typically found in school yearbooks, athletic programs, honor rolls, or class/school contests. Parents/guardians or eligible students who do not wish this information to be made public must submit a completed *Directory Information Opt-Out Form* by the deadline stated in the form (<https://providencehall.com/about-us/policies/>).
- 13.6. Any parents/guardians or eligible students who have concerns regarding photographs or videos of students in activities or events must submit a completed *Media Consent &*



Release Opt-Out Form by the deadline stated in the form

(<https://providencehall.com/about-us/policies/>).

- 13.7. Additionally, federal law requires that the PHCS/school provide military recruiters and/or institutions of higher education with three directory information categories - names, addresses, and telephone numbers. Any parents/guardians or eligible students who do not want this information disclosed must submit a completed *Military Recruiters and/or Institutions of Higher Education Opt-Out Form* by the stated deadline in the form (<https://providencehall.com/about-us/policies/>).

14. **Homeless Student Eligibility**

- 14.1. The Board recognizes the importance of requiring and maintaining necessary records for all students. However, the Board also recognizes the importance of removing barriers for homeless students to enroll and participate in school.
- 14.2. "Homeless students" means individuals who lack a fixed, regular, and adequate nighttime residence; and includes children who are 1) living with a friend, relative, or someone else because they lost their home or can't afford housing; 2) staying in a motel, hotel, trailer park, or camping ground due to the lack of alternative accommodations; 3) living in a transitional shelter; 4) living in a public or private place not designed for or ordinarily used as regular sleeping accommodation for human beings; 5) migratory children who qualify as homeless because they are living in circumstances described above.
- 14.3. Under the McKinney-Vento Act, homeless students are entitled to immediate enrollment and full participation even if they are unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, birth certificate, or other documentation. 42 U.S.C. Section 11432 (g) (3)(C) and (g)(1)(H)(I)
- 14.3.1. Homeless students shall be enrolled immediately.
- 14.3.2. Homeless students will be granted full participation in school activities and programs. They cannot be excluded based on their inability to present the following information:
- 14.3.2.1. Immunization records
 - 14.3.2.2. Medical records
 - 14.3.2.3. Birth certificate
 - 14.3.2.4. Previous school records or transcripts
 - 14.3.2.5. Guardianship records
 - 14.3.2.6. Proof of residency
 - 14.3.2.7. Other required documentation
- 14.3.3. Homeless students have three options for choice of school to attend:
- 14.3.3.1. School of origin (the school the child has attended when permanently housed),
 - 14.3.3.2. School of origin (the school the child last attended)
 - 14.3.3.3. The school closest to the shelter or other temporary housing. "School of Origin" means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- 14.3.4. The school will continue efforts to assist the student in completing necessary and important records, especially all immunization information.



15. CTE Annual Public Notification of Nondiscrimination

- 15.1. PHCS offers Career and Technical Education (CTE) Programs in ([click here to link to all CTE programs offered](#)).
- 15.2. Admission to these programs is open to all students and available at all high schools.
- 15.3. It is the policy PHCS not to discriminate based on race, color, national origin, sex, or disabilities in its CTE programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section of 504 of the Rehabilitation Act of 1973, as amended.
- 15.4. It is the policy of PHCS not to discriminate based on race, color, national origin, sex, and disabilities or age in its employment practices as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; The Age Discrimination Act of 1975, as amended; and Section 504 the Rehabilitation Act of 1973, as amended.
- 15.5. PHCS assures that the lack of English skills will not be a barrier to admission and participation in all educational and CTE programs.
- 15.6. For more information about your rights or grievance procedures, contact the appropriate coordinator below.

Title VI, Title XI and Civil Rights Issues

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