

Memorandum

City of Lawrence

City Manager's Office

TO: Diane Stoddard, Assistant City Manager
FROM: Michael Tubbs, Management Analyst
Date: 01/24/08
RE: Parental Notification and Good Neighbor Programs

This memo is in response to your request that staff research information mentioned in the ***Street Journal December 6, 2007 article "Colleges Move Boldly On Student Drinking"***. The memo highlights information on parental notification concerning Regents Schools in Kansas and Good Neighbor programs generally.

Some communities and universities are using parental notification and Good Neighbor programs as tools to encourage students to comply with local laws and university rules. Like all residents, students are expected to conduct themselves as mature and responsible members of the communities and Universities. As such, they are responsible for upholding all state and local laws and ordinances, especially those relating to noise, traffic, parking, zoning, and consumption of alcohol.

Parental Notification

The Family Educational Rights and Privacy Act, or Ferpa, the 1974 law that protects the information in a student's educational record, including grades and disciplinary reports; in 1998 Ferpa was amended and parental notification became law. Congress gave colleges and universities the authority to disclose alcohol or controlled substance violations to parents. These include state and federal laws as well as school policies and rules governing the use or possession of alcohol or controlled substances. Federal law recognizes a parent's right to be notified if their son or daughter is involved in risky or illegal behavior such as underage drinking, public drunkenness, drugs or criminal activity. **The law permits, but does not require,** schools to notify parents any time a student under 21 violates drug or alcohol laws.

The University of Kansas Code of Student Rights and Responsibilities states: Art. 20. **No inquiry is permitted into the activities of students away from the campus where their behavior is subject to regulation and control by public authorities.**

Kansas Regent Schools	Parental Notification	Comments
University of Kansas	No	No plans to change policy
Fort Hays State	No	
Kansas State University	No	Plan to start PN on 2 nd offence Fall 2008
Emporia State University	No	
Pittsburgh State University	No	
Wichita State University	No	
Washburn University	No	

Source: University of Kansas Provost Office and school websites

Note: University of Missouri System schools do provide parental notification for on campus activities, but not for off campus activities concerning drug and alcohol use.

Good Neighbor Programs

Generally, the primary goals of the Good Neighbor programs reviewed include:

- Improve communication and cooperation between students and other residents.
- Prevent conflict by promoting positive relationships among neighbors.
- Educate citizens about their rights and options for addressing on-going neighborhood problems, including parking, trash, noise, and parties.

I reviewed program information from K-State/City of Manhattan; UC Riverside/City of Riverside; UNCW/ City of Wilmington; and University of California at Santa Cruz (UCSC)/ City of Santa Cruz.

Common themes of Good Neighbor programs reviewed include:

Subject Theme	Strategy to Improve Quality of Life	Comments
Upkeep and Beautification	Enforcement/Capacity Building	Enforcement of existing code; development of things such as community gardens at neighborhood level
Traffic Safety and Parking	Enforcement/Education	Enforce existing code and public outreach related to traffic safety and parking especially around the campus neighborhood
Neighborhood Relations	Education/Capacity Building	Workshops provide by neighborhood associations; neighborhood events/cook outs
Alcohol and Other Drugs	Enforcement/Education	Enforce existing code and education
Advisory board/committee	Annual review of guidelines	Committee recommends changes as necessary to City/University joint committee

Note: Kansas State University was the only Regents School in Kansas with a Good Neighbor program.

Please let me know if you require additional information.

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Colleges Move Boldly On Student Drinking

*Exploiting an Exception to Federal Privacy Laws, Schools
Increasingly Notify Parents When Kids Are Caught With Alcohol*

By ELIZABETH BERNSTEIN

WHEN MINDY and Tom Gunn sent their son away to college this fall, they expected the school to send them a bill. They didn't expect a letter saying he'd been caught drinking.

But two weeks after their son John enrolled at University of Wisconsin-Whitewater, the school notified them that the 18-year-old had violated the campus drinking policy. The letter encouraged his parents to talk to him about it. And it invited them to call a school official if they had questions.

"One of my biggest fears when we sent him away was that he'd get into the party scene," says Mindy Gunn, 48, of Janesville, Wis. "I was glad to know the school will keep track of what he does and let me know."

The Virginia Tech shootings and other tragic incidents on campuses this year have shown that many colleges and universities are reluctant to reach out to parents when there are signs of trouble, such as a missing or potentially suicidal student. Citing a federal law meant to protect student privacy, many schools rope off young people's records from parents and authorities. But in one area, administrators are increasingly exploit-

Keeping Tabs

Steps parents can take to partner with schools:

- **Learn about the law:** The government's new guide for parents on Ferpa can be found at www.ed.gov/policy/genr/guid/fpcg/index.html.
- **Talk to the school:** Ask if the college has an alcohol policy, and how it is enforced.
- **Get a waiver:** If the school doesn't notify parents, consider asking the student to sign a form to waive his or her Ferpa rights. Some colleges offer such waivers.

ing an exception in the law that allows them to reach out: drinking and drugs. A growing number of colleges, such as Texas Tech and Ohio University, are deciding to call mom and dad about underage drinking and illegal drug use, often at the very first signs of trouble.

In an effort to involve parents early on, the University of New Mexico in Albuquerque this fall began sending letters to parents of underage students the first time their child is caught drinking or using drugs—a toughening of their four-year-old policy of notifying parents after a second offense. Parents "have been an integral part of their sons' or daughters' lives forever," says

Randy Boeglin, dean of students and director of residence life. "Our challenge then is to bring them into the partnership mode with us."

Schools say they are being spurred to create or strengthen parental-notification policies by new reports of excessive drinking on campuses, as well as worries over their own liability for students' substance-abuse problems. The concern is that student injuries related to alcohol use could give rise to lawsuits. In addition, the tragedy at Virginia Tech in April, where a troubled student killed

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More Colleges Move on Student Drinking

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32 people and then himself, has served as a catalyst for schools to re-evaluate how and when they will reach out to parents.

They're also getting indirect encouragement from the U.S. Department of Education, which recently provided new guidance for colleges and universities on the Family Educational Rights and Privacy Act, or Ferpa, the 1974 law that protects the information in a student's educational record, including grades and disciplinary reports. Ferpa contains exceptions that allow schools to share information with parents or authorities in certain circumstances, including when the school deems there is a "health or safety emergency" or if the parents declare the student to be a tax dependent.

The college parental-notification policies for alcohol and drug violations utilize an exception added in 1998 to Ferpa that allows schools to call parents if a student gets an alcohol or drug violation and is under 21 years of age. After the law was changed, some colleges created parental-notification policies, while others insisted that contacting parents would go against their goal of nurturing independence in their students.

Whose Responsibility

The alcohol exception is perhaps easier for colleges to exploit than exceptions for, say, health and safety, where it is harder to determine when to act. "What is a health or safety emergency? And what is an imminent risk of danger to the student? Those are nebulous terms ... whereas the drug and alcohol exception has a direct tie to judicial proceedings, so it's clear whose responsibility it is to act," says Karen-Ann Broe, senior risk analyst at United Educators, a risk-management and insurance company in Chevy Chase, Md.

To ensure that all schools understand their options, last month the DOE issued three new Ferpa guides: for parents, universities and K-12 schools. "We want to emphasize that you can involve parents with these students if there are problems," says LeRoy Rooker, the director of the Family Policy Compliance Office at the DOE, which administers the law.

Indeed, college administrators are eager to find a solution for alcohol and drugs, which they say are among the most pervasive and intractable health-

and-safety problems on their campuses. A study published in March by the National Center on Addiction and Substance Abuse at Columbia University, or CASA, found that in 2001 there were more than 1,700 deaths from unintentional alcohol-related injuries among college students, up 6% since 1998. Also in 2001, 97,000 students were victims of alcohol-related date rape or sexual assault, and almost 700,000 students were assaulted by a student who had been binge drinking.

Comprehensive Solution

For years, colleges have been struggling to get a handle on the problem. They've made kids caught drinking illegally take online alcohol-education courses and banned alcohol advertising from sporting events. Now, more schools are seeing parents as one component in a comprehensive solution.

"Students are increasingly

if they don't want to be notified that their child is using drugs or alcohol. So far in 2007, 37 parents have opted out.

Nevertheless many parents, and even students, say the notification letters can be useful. Immediately after his violation for underage drinking at the University of Wisconsin-Whitewater in September, Mr. Gunn called his mom and told her a letter was coming from the university. She talked to him about being responsible and told him he would have to pay the \$250 legal fine himself. (He was also put on probation for a year by the school, and ordered to take a \$35 online alcohol-education course.) Now he says he hasn't been drinking since the incident. "The policy keeps kids in check," he says. "You can't really do anything and get away with it."

In May 2006, the University of Georgia ramped up its parental-notification policy. Instead

Berquam or someone on her staff explains the school's concerns about their child and asks the parents if there is any background information they may be able to supply. If the school feels it is warranted, it may recommend counseling.

Tony and Lee Ann Christ say they desperately wish their son's school had reached out to them. In February 2004, their son, Brian, then a senior at the University of Virginia, called home and told his dad he needed help: He had become addicted to heroin. The elder Mr. Christ immediately took Brian out of school and sent him to rehab. In December 2004, he died of an overdose at age 22.

A Referral to Counseling

After his death, his parents learned that the university had caught their then-18-year-old son with marijuana in his room two weeks into his freshman year. The school had also caught him with beer in his room the next semester. The university's judiciary committee found him guilty of violating the school's alcohol and drug policy in both instances and mandated community service. The first time, a dean also referred him to counseling. The school never notified his parents, despite having a parental-notification policy already in place.

Officials at U.Va. say the school's policy is to notify parents only after an actual arrest, or if there is reason to believe a student's health is in jeopardy. "We're trying to help students become independent adults and manage their own affairs," says Patricia M. Lampkin, vice president for student affairs. "It's a balancing act."

Brian was never arrested. And the school points out that his family did have an opportunity to observe him themselves when he took a leave from school the semester before he came out about his drug problem.

But Mr. Christ says he nevertheless wishes the school had taken the early signs more seriously. "Privacy as it's practiced today keeps parents in the dark," says Mr. Christ, 58, a stockbroker from Falls Church, Va.

This year, Mr. Christ encouraged U.Va. to adopt a policy, called Brian's Rule, in which they would agree to "promptly and fully inform parents" if a dependent student's behavior was deemed destructive or illegal. The school declined to approve the plan, saying it believes its current policies are adequate.

Schools say they are being spurred to create or strengthen parental-notification policies by new reports of excessive drinking on campuses.

tied to their parents 24-7 with instant messaging, text messaging and cellphones," says Fran Cohen, dean of students and assistant vice president at the University of Rhode Island, one of the first schools to adopt a parental-notification policy, in 1999. "There's tremendous potential for parents to support the decisions of students."

But there are skeptics of the policies, as well. Some administrators worry that notifying parents at the first sign of trouble prevents students from learning to cope with their own problems. And campus health-care providers worry that the threat of parental notification will make students less likely to seek help for alcohol-related illnesses.

Even some parents are voicing concern: When the University of Missouri announced it was implementing a parental-notification policy several years ago, a number of parents wrote the school to say they felt the plan violated their children's right to privacy. The university then tweaked its proposed policy. Now, it sends a form at the beginning of each year to parents of new students under the age of 21 and asks them to sign and return it

of contacting parents after a second violation, administrators now send a letter home after the first offense. At the same time, the university toughened its minimum sanctions for an alcohol violation, putting students on probation for a first offense and suspending them if they get a second offense while on probation.

Last semester, the university sent out 248 notification letters to parents; 174 have gone out since the beginning of August, says Brandon Frye, assistant dean of students. But he says it's too early to tell if the policy is successful in reducing underage drinking.

It's About Involvement'

Schools agree that for the policies to work, the key is to engage parents. "It's not just about notification, it's about involvement," says Lori Berquam, dean of students at the University of Wisconsin. In 2005, the university began calling parents of students who have alcohol or drug violations in certain circumstances, such as when a student is transferred to a detoxification center or a student gets three violations (a fourth results in suspension).

When talking to parents, Ms.