

# ANNUAL PARENT NOTIFICATIONS

## Hopewell Area School District

### **Confidentiality and Notice for Directory Information**

The Hopewell Area School District protects the confidentiality of personally identifiable information regarding all students including students with disabilities, children thought to have disabilities, protected handicapped students (if not protected by IDEA or Pennsylvania's Special Education Regulations) and children who are identified as gifted, in accordance with the Family Educational Rights and Privacy Act (FERPA) and other applicable federal and state laws, policies and regulations.

"Education Records" means those records that are directly related to the student, including stored in computers, through media, and on videotape, which are maintained by an educational agency or a party acting for the agency. "Educational Agency," for purpose of this notice, means the local school district, and/or the BVIU. For all students, the educational agency maintains education records that include, but are not limited to:

- Personal Identifiable Information-Confidential information that includes, but is not limited to the student's name, name of parent/guardians and other family members, the address of the student or student's family, and personal information or personal characteristics which would make the student's identity easily traceable.
- Directory Information – Information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy, if disclosed. It includes, but is not limited to, the student's name, address, telephone number, date and place of birth, major field of study (secondary students), participation in officially-recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, information for the annual yearbook, graduation programs, honor rolls, playbills, etc., and the name of the most previous educational agency or institution attended,

The Family Education Rights and Privacy Act (FERPA) affords to parent/guardians, and to students over 18 years of age, certain rights with respect to students' education records. They are:

1. Parent/guardians (or students over 18 years of age) have the right to inspect and review the student's education record. The school district will comply with the request to inspect and review education records without unnecessary delay and before any meeting regarding an IEP or due process hearing, but in no case more than 45 days after the request has been made. Requests should be submitted in writing (indicating the records the parent/guardians wish to inspect) to the school principal or other appropriate school official. Parent/guardians have the right to a response from the school district to a reasonable written request for explanations and interpretations of the records. Parent/guardians have the right to request copies of the records. While the district cannot charge a fee to search for or

retrieve information, it may charge a copying fee, as long as it does not effectively prevent the parent/guardians from exercising their right to inspect and review the records. Parent/guardians have the right to appoint a representative to inspect and review their child's records. If an education record contains information on more than one child, parent/guardians (or students over 18 years of age) have the right only to inspect and review the information related to the specific child.

2. If the parent/guardians (or a student over 18 years of age) thinks information in an education record is inaccurate, misleading or violates the privacy or other rights of the child, an amendment of the record may be requested. Requests should be made in writing and clearly identify the part of the record requested to be changed and specify why it is inaccurate or misleading. The school district will decide whether or not to amend the record and will notify the parent/guardians (or student over 18), in writing, of its decision. If the school district refuses to amend the record, it will notify the parent/guardians (or students over 18) of their right to a hearing to challenge the disputed information. Additional information regarding the hearing procedures will be provided to the parent/guardians or student (if 18 or older) when notified of the right to a hearing.

The school district will inform parent/guardians (or students over 18) when personally identifiable information is no longer needed to provide educational services to a child. Such information must be destroyed at the request of the parent/guardian (or student over 18). Parent/guardians (or students over 18) have a right to receive a copy of the material to be destroyed; however, a permanent record of the student's name, address, and telephone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitations. "Destruction" of records means physical destruction or removal of personal identifiers from information, so that the information is no longer personally identifiable. The school district will provide, upon request, a listing of the types and locations of education records maintained, the school officials responsible for these records, and the school personnel authorized to see personally identifiable information. Such personnel receive training and instruction regarding confidentiality. The school district keeps records of parties obtaining access to education records, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

3. Parent/guardians (or students over 18) have the right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. "Consent" means: the parent(s)/guardian(s) [or students over 18] have [has] been fully informed regarding the activity requiring consent, in the native language or other mode of communication; they understand and agree in writing to the activities; and, they understand that the consent is voluntary and may be revoked at any time. Information may be disclosed without consent to school officials with legitimate educational interests. A "school official" is a person employed by the

district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a person 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/her professional responsibility. Directory information as defined above, may be released without parent/ guardian consent.

Parent/guardians have the right to refuse to permit an agency to designate or release any or all of the above information as directory information. Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The school district is required by the National Defense Authorization Act (Pub.L. No 107-107) to provide military recruiters the same access to secondary school students as provided to postsecondary institutions or to prospective employers; and shall provide students' names, addresses, and telephone listings to military recruiters, when requested, unless a parent/guardian has opted out of providing such information in writing to the school principal.
5. Parent/guardians (or students over 18) have a 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. Complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-4605.

Students' special education and gifted records are maintained at the Hopewell Central Office. The complete records are kept for a period of five (5) years after completion of the student's program or the student's graduation from high school.

Special education and gifted records that will be destroyed following the five (5) year period are all IEP's or GIEP's with the exception of the initial and final IEP or GIEP. Parent/guardians of students and students that graduated or left this school prior to the 2016-17 year are hereby notified that if they wish for a copy of any "IEP or GIEP" information before it is deleted/destroyed, they must make that request to the special education department (724-375-6691, ext. 3009) by November 1, 2022. The scheduled destruction date of this information is December 1, 2022.

## **HIPPA**

The Hopewell Area School District maintains the privacy of protected health information of all students in accordance with the applicable provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). A copy of the HASD Notice of Privacy Practices may be obtained at the Central Administration Office.

## **Student Rights Regarding Surveys**

Protection of Pupil Rights Amendment (PPRA) affords parent/guardians and students who are 18 or emancipated minors (“eligible students”) certain rights regarding the District’s conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include 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 part by a program of the U.S. Department of Education:

- Political affiliations or beliefs of the student or the student’s parent/guardian;
- Mental or psychological problems of the student or student’s family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of others with whom respondents have close family relationships;
- Legally recognized privileged relationships, such as lawyers, doctors or ministers;
- Religious practices, affiliations, or beliefs of the student or parent/guardians; or
- Income, other than as required by law to determine program eligibility.

**Receive** notice and opportunity to opt out of:

- Any other protected information survey, regardless of funding;
- Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the District or its agent, and necessary to protect the immediate health and safety of a student, except for hearing, vision, or and physical exam or screening permitted or requested under state law; and activities including collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

**Inspect**, upon request and before administration or use:

- Protected information surveys of students;
- Instruments used to collect personal information from students for any of the referenced marketing, sales, or other distribution purposes; and

Board policy has been developed regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Parent/guardians and eligible students will be notified of activities and afforded an opportunity to opt a student out of participation.

## **Notice of Nondiscrimination**

The Hopewell Area School District will not discriminate in its educational programs, activities, or employment practices, based on race, color, national origin, sex, or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws, including Title IX of the Education Amendments of 1972, and Section 503 and 504 of the Rehabilitation Act of 1973.

Employees and participants who have an inquiry or complaint of harassment or discrimination or who need information about accommodations for handicapped persons should contact the Superintendent at 724-375-6691.

## **No Child Left Behind Act of 2001**

Public Law 107-111, better known as the No Child Left Behind Act of 2001 (NCLB), is one of the most comprehensive education reform plans ever passed by the U.S. Congress. The document can be viewed in its entirety at <http://www.ed.gov/legislation/ESEA02/107-110.pdf>. Additional information concerning NCLB is available at <http://www.nclb.gov/>.

NCLB § 1111 (h)(6)(A) requires that the school district annually inform parent/guardians regarding the professional qualifications of the student's classroom teachers. Each teacher employed by the Hopewell Area School District has been issued a certificate of instruction from the Pennsylvania Department of Education meeting all state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

## **Public Notice on Screening and Evaluation**

Each school district, along with other public agencies in the Commonwealth, must establish and implement procedures to identify, locate and evaluate all children who need special education programs and services because of the child's disability. This notice is to help find these children, offer assistance to parents and describe the parent's rights with regard to confidentiality of information that will be obtained during this process.

*Child Find* refers to activities undertaken by public education agencies to identify, locate, and evaluate children residing in the State, including children attending private schools, who are suspected of having disabilities, regardless of the severity of their disability, and determine the child's need for special education and related services. The purpose is to locate these children so that a free appropriate public education (FAPE) can be made available. The types of disabilities that if found to cause a child to need services are autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment due to chronic or acute health problems, specific learning disabilities, speech or language, traumatic brain injury and visual impairment including blindness; and in the case of a child that is of preschool age, developmental delay.

The Hopewell Area School District uses the following procedures for locating, identifying, and evaluating special needs of school-aged students requiring special programs or services. These procedures as required by law are as follows:

The district, as prescribed by Section 1402 of the School Code routinely conducts health screenings for kindergarten (K) through 12<sup>th</sup> grade students and new students without history of recent exams: Hearing acuity (Gr. K-3, 7 and 11 and any student with a known history of hearing loss), Visual acuity (annually), Dental Screenings (Gr. 1, 3, 7 & 11), Physical Exams (Gr. 1, 6, & 11), Scoliosis Screening (Gr. 6 & 7) and Speech and language screening (annually).

Classroom teachers, Pre-Referral Intervention Team, and school counselors on an ongoing basis informally assess gross motor and fine motor skills, academic skills, and social and emotional skills. Specified needs from all of these screening sources are noted within the student's folder.

Parents/guardians with concerns regarding their child may contact building principals at any time to request a screening or evaluation of their child. Communication with parents/guardians of a student with disabilities and/or parents/guardians of gifted students shall be in English or the native language of the parent and student.

Screening information will be used by the Pre-referral Intervention Team and the school counselors within the student's school to meet his/her specific needs or to document the need for further evaluation. If it is determined that a student needs additional services, the Pre-referral Intervention Team and/or the school counselors will implement accommodations appropriate to student's needs. The parents/guardians are members of the Pre-referral Intervention Team. If a student does not make progress with Pre-referral Intervention Team involvement and or services provided through the school counselors, parents/guardians will be asked to give written permission for further evaluation. This process is called Multidisciplinary Evaluation (MDE). The parents/guardians are members of the Multidisciplinary Team (MDT).

If it is determined that a student may possibly be mentally gifted, the student's records will be reviewed, and the respective school counselor will gather information from the student's parents/guardians and teachers. If the data supports a need, parents will be asked to give written permission for further evaluation. This process is called Gifted Multidisciplinary Evaluation (GME). The parents/guardians are members of the Gifted Multidisciplinary Team (GMT).

After Multidisciplinary Evaluation or Gifted Multidisciplinary Evaluation is completed, an Evaluation Report (ER) or a Gifted Written Report (GWR) will be compiled and will include specific recommendations for the types of interventions and/or acceleration and enrichment necessary to deal with the student's specified needs. If an Individual Education Plan (IEP) is recommended by the MDE, the parents/guardians are invited to participate in a meeting where the results of the Multidisciplinary Evaluation (MDE) or Gifted Multidisciplinary Evaluation (GME) will be discussed and an Individual Education Program (IEP) or a Gifted Individual Education Program (GIEP) will be developed for specialized services for the student.

When the Evaluation Report (ER) or Gifted Written Report (GWR) is completed, copies are sent to the parent/guardian of the student along with a Notice of Recommended Educational Placement (NOREP) or a Notice of Recommended Assignment (NORA) with which they may agree or disagree. If parents/guardians disagree with the program recommendation, the issue may be taken to mediation or a due process hearing.

Information about parent/guardian rights, mediation or due process procedures, specific special education services and programs and gifted education services and program offered by the district; and the district's educational records policy are available upon request from the building principal in the student's school. A parent/guardian may request that the district initiate a screening or evaluation of their child's specified needs at any time by contacting the building principal. Further information about these procedures may be obtained by calling the Director of Special Education at 724-375-6691, ext. 3009.

All information collected as part of an individual student referral or evaluation is treated in a confidential manner and does not become a part of the student's permanent record file.

## **Special Education Programs for Students with Disabilities and Gifted Students**

The Hopewell Area School District operates programs for students with disabilities and gifted students in accordance with Chapter 14 and Chapter 16. In addition, the Hopewell Area School District is the host district for the Beaver County Jail and provides regular education and special education services for school age students.

The Hopewell Area School District provides a free, appropriate public education to students with disabilities or mental giftedness according to state and federal rules. To be eligible, the child must:

- Be of school age.
- Have a disability or mental giftedness *and* be in need of specially designed instruction.
- Meet eligibility criteria for one or more of the following physical or mental disabilities as set forth in the Pennsylvania State Standards: autism, deaf-blindness, blindness, visual impairment, emotional disturbance, specific learning disability, other health impairment, traumatic brain injury, and speech/language impairment, orthopedic impairment, hearing impairment, deafness, multiple disabilities or mental retardation. Services designed to meet the needs of eligible disabled students include:
  - The annual development of an individualized education program (IEP or Gifted IEP).
  - A triennial multidisciplinary re-evaluation for students with disabilities (except for those students with an intellectual disability where evaluation remains biennial).
  - A range of supports for students from itinerant level to supplemental level to full time level special education support within the school district or placement in a full-time special education disabilities class outside of the regular school.

The extent of special education services for disabled or mentally gifted students and the location for the delivery of such services are determined by the parents and the district staff at the IEP/GIEP team meeting and are based on the student's identified needs and abilities, chronological age and the level of intensity of the specified intervention. The school district also provides related services, such as transportation, physical therapy, occupational therapy and assistive technology if they are required to enable the student with disabilities to derive educational benefits.

Prior to initiation of services, parents of a student with disabilities are presented a “Notice of Recommended Educational Placement/Prior Written Notice” (NOREP) and parents of a mentally gifted student with a “Notice of Recommended Assignment” (NORA) with which they agree or disagree. If parents agree to the program outlined by the multidisciplinary team and the parent signs either the NOREP or NORA, then the program is implemented for their child. If parents disagree with the program being recommended, they have the right to request IEP facilitation, mediation and/or a due process hearing. Parents are issued their “Procedural Safeguards” which outlines in detail their legal rights as a parent of a child identified as having a disability or considered mental gifted.

Printed information regarding available special education services and programs and procedural safeguards as they pertain to special education is available in the office of each building principal and at the Central Administration Office.

For answers to specific questions about special education services, the screening or evaluation process, or any other information, please call the Director of Special Education at 724-375-6691, ext. 3009.

## **Services for Students in Nonpublic Schools**

Public school education may be accessible to resident students attending nonpublic schools on a dual enrollment basis in a special education program operated in a public school. A multidisciplinary evaluation which determines the child’s eligibility for services must be conducted and, if eligible, an individualized education program plan (IEP) is developed. Parents of nonpublic school students who suspect that their child is disabled and in need of special education may request a multidisciplinary evaluation of their child through a written request to the building principal or the Coordinator of Pupil Personnel Services.

## **Services for Preschool Children**

Act 212, the Early Intervention Services System Act, entitles all preschool children with disabilities to appropriate early intervention services.

Young children who are experiencing developmental delays are eligible for early intervention services. At-risk children are eligible for screening and tracking.

Developmental delays occur when children are not meeting expected developmental milestones during predictable age-related time periods. Developmental delays can occur in many areas including behavioral, gross motor, vision, hearing, and speech and language.

The Pennsylvania Department of Public Welfare is responsible for providing services to infants and toddlers, defined as children from birth through two years of age. Contact the Base Service Unit at 724-891-2827 for information. The HASD is responsible for providing services to preschool children from ages three through five. These services are provided by the BVIU. Contact the BVIU for screening at 724-774-7800 or the HASD at 724-375-6691, ext. 3009 for more information.

## **Protected Handicapped Students Public Notice**

In compliance with state and federal law, Chapter 15 and Section 504 of the Rehabilitation Act of 1973, Hopewell Area School District will provide to each protected handicapped student without discrimination or cost to the student or family those related aids, services, or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities.

The services and protections for a Protected Handicapped Student are distinct from those that apply to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs. In order to qualify as a Protected Handicapped Student, the child must be of an age when public education is offered in his/her school district and with a physical or mental disability which substantially limits or prohibits participation in or access to any aspect of the school program.

The school principal, teachers, or the parent/guardian(s) can refer students to be considered as protected handicapped student. Referrals are made to the school counselor. If the school district 504 team determines that the student is eligible, a Service Agreement will be developed. The principal and the school counselor will make arrangements to implement the Service Agreement. The Service Agreement will be reviewed annually with the parent/guardians and with the school team for either termination or revision.

For further information on the evaluation procedures and provision of services to protected handicapped students, contact the building principal or Section 504 Coordinator (724-375-6691, ext. 3009).

## **Surrogate Parent**

The school district has the responsibility of developing a surrogate parent program for school age handicapped children residing in the Hopewell Area School District. The District must see that any handicapped student who is either a ward of the state or whose parent or guardian is unknown or unavailable has a surrogate parent. The surrogate parent acts in place of the parent/guardian in matters concerning the student's educational programs/services. The role of the surrogate parent is voluntary and training is provided regarding the role of a surrogate parent.

## **Homeless Children and Youth Act**

On July 22, 1987 the Stuart B. McKinney Homeless Assistance Act became public law. This was the first comprehensive federal law dealing with the problems of homelessness in America. This act was recently included in the 2001 No Child Left Behind Act and it is now called the McKinney-Vento Education Assistance Improvements Act of 2001, (Public Law 107-110) Subtitle B and covers the Education for Homeless Children and Youths (Sections 721-726).

The district recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other district students. The district makes efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their attendance and education in compliance with federal and state law and regulations.

Homeless students are defined as individuals lacking a fixed, regular and nighttime residence, which include the following conditions:

- Sharing the housing of other persons due to loss of housing or economic hardship.
- Living in motels, hotels, or camping grounds due to lack of alternative adequate accommodations.
- Living in emergency, transitional, domestic violence shelters.
- Abandoned in hospitals.
- Awaiting foster care placement.
- Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings.
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings.
- Living as migratory children in conditions described in previous examples.
- Living as run-away children.
- Abandoned or forced out of homes by parent/guardians/guardians or caretakers.
- Living as school age unwed mothers in houses for unwed mothers if they have no other living accommodations.

For more information regarding the McKinney-Vento Education Assistance Improvement Act of 2001 please contact the district's Homeless Coordinator at 724-375-6691.

## **Migrant Student Education**

The Hopewell Area School District provides that foreign students who do not possess an F-1 Visa and reside in the Hopewell Area School District with parent/guardians, guardians, or individuals gratuitously caring for them are considered residents of the school district and are entitled to the same school rights and privileges available to resident students. For more information regarding Migrant Student Education, contact the district's Migrant Education Coordinator at 724-375-6691.

## **Mode of Communication**

If a person does not understand any part of this notice, he or she should request an explanation by contacting the Director of Special Education at 724-375-6691, ext. 3010.

The school district will arrange for an interpreter for parent/guardians with limited English proficiency. If a parent/guardian is deaf or blind or has no written language, the school district will arrange for communication of this notice in the mode normally used by the parent/guardian (e.g., sign language, Braille, or oral communication).

## **Special Education Department: 724-375-6691**

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