



## PHOENIXVILLE AREA SCHOOL DISTRICT

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### NON-DISCRIMINATION OF PROTECTED HANDICAPPED STUDENTS – ANNUAL NOTICE TO PARENTS

In compliance with state and federal law, the Phoenixville Area School District will provide to each protected handicapped student, without discrimination or costs 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. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability that substantially limits or prohibits participation in or access to an aspect of the school program.

These services and protections for “protected handicapped” students are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs. For further information about the evaluation procedures and provision of services to protected students, contact the Director of Specialized Programs & Services, by mail at 386 City Line Avenue, Phoenixville, Pennsylvania 19460 or by telephone at 484-927-5065.

### DIRECTORY INFORMATION NOTICE

The *Family Educational Rights and Privacy Act (FERPA)* is a Federal law that protects the privacy of student educational records. The law requires that Phoenixville Area School District (“district”) obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. Consent, however, is not required in all instances. The district may disclose appropriately designated “directory information” without written consent, unless you have advised the district to the contrary in accordance with district procedures. The federal law and the United States Department of Education define directory information as information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance.

The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill showing your child's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists
- Graduation programs
- Sports activity sheets, i.e. such as for wrestling, showing weight and height of team members

Directory information can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965 (ESEA)* to provide military recruiters, upon request, with three directory information categories – names, addresses, and telephone listings – unless parents have advised the LEA that they do not want their child's information disclosed without their prior written consent.<sup>1</sup>

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by September 15th of each school year. The district has designated the following information as directory information:

- Name

- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

<sup>1</sup> These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.

## **STATEMENT OF STUDENT RIGHTS**

It is the right of all students to have an opportunity to be educated by the District, to be secure in their persons, to have their rights protected and to be treated with fundamental fairness in all matters. However, when the rights of the individual conflict with or jeopardize the rights of the student body in general, or endanger a student or any other person, it shall be the policy of the District to choose safety as the paramount concern and the rights of the individual shall yield to the degree necessary.

## **NOTIFICATION OF RIGHTS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS**

*The Family Educational Rights and Privacy Act (FERPA)* affords parents and students who reach the age of 18 ("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 45 days of the day the school receives a written request for access.**  
Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. The district is not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
2. **The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading.**  
Parents or eligible students may ask the school to amend a record they believe is inaccurate or misleading. Parents 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 school decides not to amend the record as requested by the parent or eligible student, the 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 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 the school 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 school 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 responsibilities. Upon request, the school discloses education records without consent to officials or another school district in which a student seeks or intends to enroll. The additional disclosures the school may make without parent consent are explained in the school's *Student Records Plan* available from the child's principal.

**4. 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 is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

**Notification of Rights under the Protection of Pupil Rights Amendment**

*The Protection of Pupil Rights Act (PPRA)*, affords parents and students who are 18 or emancipated minors ("eligible students") certain rights regarding the Phoenixville Area School District's conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations. These include the right to:

- ***Written 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:

- 1.1 Political affiliations or beliefs of the student or student's parent
- 1.2 Mental or psychological problems of the student or student's family
- 1.3 Sex behavior or attitudes
- 1.4 Illegal, anti-social, self-incriminating, or demeaning behavior
- 1.5 Critical appraisals of others with whom respondents have close family relationships
- 1.6 Legally recognized privileged relationships such as with lawyers, doctors, or ministers
- 1.7 Religious practices, affiliations, or beliefs of the student or parents
- 1.8 Income, other than as required by law to determine program eligibility

- ***Receive notice and an opportunity to opt a student out of:***

2. Any other protected information survey, regardless of funding
- 2.2 Any non-emergency, invasive physical examination 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 Pennsylvania law
- 2.3 Activities involving 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:***

- 3.1 Protected information surveys of students
- 3.2 Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes
- 3.3 Instructional material used as part of the educational curriculum

The district will develop and adopt policies, in consultation with parents 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. The district will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution
- Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education
- Any non-emergency, invasive physical examination or screening as described above

Parents/eligible students 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. 20202-5920

### **Resolving Complaints**

In addressing pertinent concerns, parents are urged to use the following guidelines:

- The classroom teacher should be contacted in situations that concern the student/teacher/classroom relationship.
- The school principal should be contacted if the parent cannot resolve a problem with a classroom teacher or in matters dealing with general school policies and district concerns.

### **INTEGRATED PEST MANAGEMENT (IPM)**

The Phoenixville Area School District participates in an IPM Program for managing insects, rodents, and weeds. The district communicates information on the program to parents/guardians on an annual basis.

### **PARENTAL INFORMATION NOTICE – PUBLIC NOTICE ON SCREENING AND EVALUATION**

The Phoenixville Area School District uses the following procedures for locating, identifying, and evaluating specified 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 screening of a child's hearing acuity in the following grades: kindergarten, 1, 2, 3, 7, and 11. Visual acuity is screened in every grade. Speech and language skills are screened in kindergarten and on a referral basis. Gross motor and fine motor skills, academic skills, and social-emotional skills are assessed by classroom teachers on an ongoing basis. Specified needs from all of these screening sources are noted within the child's official file. School records are open and available to parents and only to school officials who have legitimate "need to know" information about the child. Information from the records is released to other persons or agencies only with appropriate authorization that involves written signed permission by parents. Parents with concerns regarding their child may contact the building principal. Communication with parents and exceptional students shall be English or the native language of the parents.*

Parental and/or teacher concerns will be referred to the building level data team at the student's school to meet his or her specific needs or to document the need for further evaluation. Parents input is welcome and is often solicited. If a student does not make progress after interventions put in place by the school data team, the school will request permission to evaluate your child to determine if special education

services are required. Your informed consent in writing is required before the District can conduct the evaluation. The District will conduct the evaluation within 60 calendar days upon receipt of the Permission to Evaluate by the Pupil Personnel Services Office.

After all the assessments are completed, an Evaluation Report will be compiled with parent involvement and will include specific recommendations for the types of intervention necessary to address the child's specified needs.

Parents will then receive the results of the multidisciplinary evaluation and these results will be discussed. When appropriate, an Individual Education Program (IEP) will be developed indicating specialized services for the student.

In addition to the parent, the Phoenixville Area School District IEP team can consist of at least three of the following district staff: the building principal, the special education teacher, and the regular education teacher(s). Other individuals at the discretion of either the parent or the district may also participate.

Parents are an integral part of the IEP team and need to be physically present at the IEP meeting. The district will make every effort to ensure parent participation. The district will notify the parents in writing, make documented phone calls, and make home visits if necessary, to make parents aware of the IEP conference and the need for parental participation. Upon completion of the IEP meeting, parents will be mailed a Notice of Recommended Educational Placement for their approval or disapproval of the program.

Children ages birth to five years who require or may need special education interventions or evaluations are serviced through the Chester County Intermediate Unit. Parents should call the Intermediate Unit at 484-237-5000 and request to speak to an Early Intervention supervisor to access services.

#### *Chapter 15/Other Protected Handicapped Students*

A protected handicapped student is a student who is school age with a physical or mental disability, which substantially limits or prohibits participation in or access to any aspect of the school program. In compliance with State and Federal Law, the Phoenixville 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. These services and protections for "protected handicapped students" are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs.

For further information on the evaluation procedures and provisions of services to protected handicapped students, contact your building principal.

It is the policy of the Phoenixville Area School District not to discriminate based on age, gender, race, color, marital status, disability, Vietnam era veteran status, disabled veteran status, religion, national origin, creed, ancestry, or sexual orientation in its educational programs, activities, or employment as required by Title IX, Section 504, and Title VI. The district also respects the right to privacy regarding all medical and health records. For information on grievance application, contact the Phoenixville Area School District, 385 City Line Avenue, Phoenixville, PA 19460, 484-927-5000.