

NOTICE OF NON-DISCRIMINATION

The Lake Preston School does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Superintendent Mr. Dana Felderman
300 1st SE
Lake Preston, SD 57249
1-605-847-4455

For further information on notice of non-discrimination, please contact the Office for Civil Rights:

Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, 3rd floor, Suite 320
Kansas City, MO 64106
Telephone: 816-268-0550
FAX: 816-268-0599

CHILD FIND

The Lake Preston School District, in order to fulfill the obligations of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act is required to inform and provide full educational opportunities to all individuals with disabilities ages birth through twenty-one.

Mr. Dana Felderman, Superintendent of the Lake Preston School District needs your assistance to identify, locate, and evaluate all children with disabilities. This public awareness notice is to inform parents and other individuals/agencies of the availability of educational services and related services to all individuals who reside within the jurisdiction of the Lake Preston School District and who are between the ages of birth through twenty-one, regardless of the severity of their disability. This includes individuals in all public and private agencies and institutions and highly mobile children with disabilities, such as migrant and homeless children, who reside within the legal boundaries of the district.

Anyone aware of an individual who may benefit from educational services and related services is encouraged to call the Lake Preston School District, at 605-847-4455.

PUBLIC INFORMATION

The Lake Preston School District has the following documents available for review by parents of children with disabilities and to the general public:

1. Comprehensive Plan for Special Education.
2. IDEA Federal Applications for Funds.
3. Special Education Accountability/Monitoring Final Report.
4. Applications, evaluations, periodic program plan or reports relating to federal programs including auditor's reports, statements of assurance, budget, and grant materials.

IDEA Regulation 300.212 SPED Comprehensive Plan

The school district will make available to parents of children with disabilities and to the general public all documents relating to the district's eligibility under Part B of the Individuals with Disabilities Education Act.

Model Notification of Rights under FERPA for Elementary and Secondary Schools

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 45 days after the day the Lake Preston School 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 official 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 who wish to ask the Lake Preston School to amend their child's or their education record should write the school principal, clearly identify the part of the record they want changed and specify why it should be changed. 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 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 before the school discloses personally identifiable information (PII) from 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. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Lake Preston 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

MODEL NOTICE FOR DIRECTORY INFORMATION

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that the Lake Preston School District with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Lake Preston School 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 primary purpose of directory information is to allow the Lake Preston School District to include this type of information from your child's education records in certain school publications. Examples include:

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, 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 the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want Lake Preston School District to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the Lake Preston School District in writing by the first day of school. Lake Preston School District has designated the following information as directory information:

- **Student's name**
- **Address**
- **Telephone listing**
- **Electronic mail address**
- **Photograph**
- **Date and place of birth**
- **Major field of study**
- **Dates of attendance**
- **Grade level**
- **Participation in officially recognized activities and sports**
- **Weight and height of members of athletic teams**
- **Degrees, honors, and awards received**
- **The most recent educational agency or institution attended**
- **Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, cannot be used for this purpose.)**
- **A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.**

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

What is the Protection of Pupil Rights Amendment (PPRA)?

The Protection of Pupil Rights Amendment (PPRA) applies to the programs and activities of a state education agency (SEA), local education agency (LEA), or other recipient of funds under any program funded by the U.S. Department of Education. It governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors. The rights under PPRA transfer from the parents to a student who is 18 years old or an emancipated minor under state law.

What policies must a local education agency (LEA) develop under the Protection of Pupil Rights Amendment (PPRA)?

The Protection of Pupil Rights Amendment (PPRA) requires that local education agencies (LEAs), in consultation with parents, develop the following local policies concerning student privacy, parents' access to information, and administration of certain physical examinations to minors:

- The right of a parent of a student to inspect, upon the request of the parent, a survey created by a third party before the survey is administered or distributed by a school to a student, and any applicable procedures for granting a request by a parent for reasonable access to the survey within a reasonable period of time after the request is received;
- Arrangements to protect student privacy that are provided by the LEA in the event of the administration or distribution of a survey to a student containing one or more of the eight protected areas of information;
- The right of a parent or student to inspect, upon the request of the parent, any instructional material used as part of the educational curriculum for the student, and any applicable procedures for granting a request by a parent for reasonable access to instructional material within a reasonable period of time after the request is received;
- The administration of physical examinations or screenings that the school or LEA may administer to a student;
- The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the LEA in the event of such collection, disclosure, or use;
- The right of a parent of a student to inspect, upon request, any instrument used in the collection of personal information (a student or parent's first and last name, a home or other physical address, a telephone number, or a Social Security identification number) before the instrument is administered or distributed to a student, and any applicable procedures for granting a request by a parent for reasonable access to such instrument within a reasonable period of time after the request is received.

What types of notification do local educational agencies (LEAs), i.e., school districts, have to make to parents about the Protection of Pupil Rights Amendment (PPRA)?

There are three types of notification an LEA must provide parents and students. The first one is a general notification of their rights under PPRA.

The second notice is a notification of *specific* events. The following activities require notification:

- Activities involving the collection, disclosure, or use of personal information collected from students for marketing purposes or for selling that information, or otherwise providing it to others for that purpose;
- The administration of any survey containing one or more of the eight protected areas listed above: and
- Any nonemergency, invasive physical examination or screening that is: (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of the student, or of other students.

The third notice is a notification of the policies LEAs are required to develop, in consultation with parents, under PPRA. The LEA shall provide the notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in the policies.

MODEL 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 parents; 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 obtained from students for marketing or to sell or otherwise distribute the information to others.

- *Inspect*, upon request and before administration or use –

1. Protected information surveys of students;
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.

Lake Preston School District has adopted 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. Lake Preston School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Lake Preston School District 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. Lake Preston School District 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 requirement:

- 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 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. 20202-5901

NORTHEAST EDUCATIONAL SERVICES COOPERATIVE

- The Lake Preston School District is a member of the Northeast Educational Services Cooperative along with 23 other area school districts. The purpose of this membership is to provide services to special needs children in the district. It is very important to provide educational assistance to children in need at the earliest possible age. Children can receive services prior to reaching school age. If you as a parent or concerned citizen are aware of children who may be in need of services please call the Lake Preston School District and ask for Superintendent, Mr. Dana Felderman.

The services available, along with a brief description of each, include:

A. Speech and Language Therapy

Individual communication disorders are identified and remedial services provided to those in need.

B. Early Childhood

Both school and home based programs are provided to preschool children ages birth - five in need of special assistance due to low mental abilities, physical impairments, social-emotional difficulties, and language difficulties.

C. School Psychology Assistance

Psychoeducational assessments and programming recommendations are provided to students in need of special education due to learning disabilities, low mental abilities, social-emotional and behavioral difficulties. Consultation is available to school staff, students and parents.

D. Center-Base Program

The NESC currently operates four day programs which broaden the special education services in the school setting, thereby allowing the child to be educationally served closer to home. The program seeks to develop daily living, academic, and social skills for each student involved.

E. Occupational and Physical Therapy

The NESC provides these services in order to make them available to children who otherwise may not benefit from instruction without them.