



Annual Child Find Notice and Student Records Notice

The Family Educational Rights and Privacy Act of 1974 (FERPA - C.F.R. Part 99), was most recently amended January 8, 2008, state regulations (Chapter 711-Special Education Services and Programs, Chapter 12-Student Rights and Responsibilities) and Propel Schools' policy.

It is the intent of this Annual Notice and policy to inform both parent(s)/guardian(s) and eligible children (i.e. students 18 and older) of their rights relevant to their privacy rights in the collection, maintenance, release and destruction of these records as required by the **Family Educational Rights and Privacy Act (FERPA)**, 20 U.S.C. '1232g. 34 C.F.R. part 99.

Annual notice of this policy is given on Propel School's website, in student agendas, and in building handbooks. Hard copies are available in the main lobby of each school building as well as the Propel Schools' administration building.

The different categories of information maintained by Propel Schools are as follows; educational and health records, personally identifiable information and directory information. Information known as directory information can be released without consent. Parents may opt out of this by requesting in writing to the school principal that some or all directory information not be released. In addition, photographs and/or videos may be used in newspaper articles highlighting various school activities or television coverage of school events. If you do not wish your child to be photographed or videotaped for these purposes, you must inform Propel Schools in writing.

Education Records include records directly related to a student that are maintained by Propel Schools. The Educational Records of Propel Schools may include all of the following: grades, standardized test results, student evaluation reports, samples of student work, records transferred from sending schools, discipline records, medical records and any other records created and maintained by Propel Schools directly related to the student. This list is not intended to be exhaustive list. Educational records do not include communications with legal counsel that are attorney client privileged. Educational Records do not include records maintained solely by the creator for their personal use and are not shared with others. The contents of a student's educational file shall be determined by Propel Schools unless a specific parental request is made or a complaint is made consistent with this Notice.

Propel Schools shall permit the parent(s)/guardian(s) of a student or an eligible special education student, who is or has been in attendance in Propel Schools, to inspect and review the education records of the student upon written request. After the written request has been made, Propel Schools will comply with a request to review records within a reasonable period of time that will not exceed 45 calendar days from the date of written request. When there are special cases and where necessary, a parental request to review records will be granted and arranged as soon as possible. Visits to review a student's records shall be arranged and facilitated by the building principal or designee or any party selected by Propel Schools for the purposes of security and assistance in explaining or interpreting the data. The right to inspect and review education records includes:

1. The right to a response from Propel Schools to reasonable requests, made in writing, for explanation and interpretations of the record; and
2. The right to obtain copies of records from Propel Schools where failure of Propel Schools to provide the copies would effectively prevent a parent or eligible student from exercising the right to inspect and review the educational records (e.g. where the parent lives too far to come review the records personally). ***A reasonable fee of \$.25 will be charged per page for duplicate copies of documents already provided to parents/guardians.***

In accordance with FERPA, Propel Schools will not produce or compile documentation that does not already exist.

It is presumed by Propel Schools that both biological parent(s)/guardian(s) of a student has authority to inspect and review the education records of the student at the school in the child's attendance area (main office) by appointment unless there is evidence that there is a legally binding instrument, or a State law or court order governing such matters as divorce, separation or custody, which provides to the contrary. A Propel Schools' designee will sit with the parent when the parent reviews the records in a private conference area of the main office.

Under federal law, parental consent is not required for the release of Directory information, which is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Propel Schools designates the following as **Directory Information means:** information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

- (a) Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.
- (b) Directory information does not include a student's ---
 1. Social security number; or
 2. Student identification (ID) number, except as provided in paragraph (c) of this section.
- (c) Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, 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 personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

A written record of this information, or electronic copy of the same, including grade level completed and year completed, may be maintained at least 100 years after a student attains age 21. A parent/guardian or eligible student may notify Propel Schools in writing of their refusal to allow Propel Schools to release directory information without prior consent. Such written refusal for consent must be sent to Director of Pupil Services, Propel Schools, 3447 East Carson Street, Pittsburgh, PA 15203.

Pursuant to Section 8001 of the *Every Student Succeeds Act (ESSA)*, Propel Schools is required to release student directory information (access to names, addresses, and phone numbers of high school juniors and seniors) to **military recruiters and college admissions officers**. The Every Student Succeeds Act requires high schools to release information to colleges or other higher learning institutions upon request. Any parent/guardian or any student who has reached the age of 18 may notify Propel Schools **in writing of their refusal** for this information to be released. Letters seeking the withholding of information to military recruiters should be sent to: Director of Pupil Services, Propel Schools, 3447 East Carson Street, Pittsburgh, PA 15203.

Per federal guidance, **student medical records**, maintained in the school health office, are considered educational records and will be shared with staff that Propel Schools determines to have a legitimate educational interest in the information and a need to know medical information to protect the safety and health of the student. **Once provided to Propel Schools, specific parental consent will not be sought to share information on a need to know basis. Parental requests to maintain the confidentiality of specific medical information must be made in writing to the school health office.** Requests for complete confidentiality of medical information will be granted at the discretion of the nurse. These requests will be granted unless dangerous to the student.

If Propel Schools reports a crime committed by a student with a disability, Propel Schools will ensure that copies of the special education records and disciplinary records of the student are transmitted properly and only to the extent possible that the transmission is permitted by the Family Educational Rights and Privacy Act.

Propel Schools can communicate about sex offenders from agency to agency.

Propel Schools shall obtain the written consent of the parent(s)/guardian(s) of a student age eighteen before disclosing personally identifiable information, other than directory information, from the education records of a student to a third party. Consent is not required where the disclosure is to the parent(s)/guardian(s) of a student who is not an eligible student or the student himself or herself.

Personally Identifiable Information

The term includes, but is not limited to ---

- (a) The student's name;
- (b) The name of the student's parent or other family members;
- (c) The address of the student or student's family;
- (d) A personal identifier, such as the student's social security number, student number, or biometric record;
- (e) Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
- (f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or
- (g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Uses of Personally Identifiable Information:

The Propel Schools may disclose personally identifiable information from the education records of a student without written consent of the parent(s)/guardian(s) or the student or the eligible student in several situations. See 34 C.F.R. Part 99. Some important examples of when no consent to release information is needed include but is not limited to:

1. Other school officials, including teachers, school counselors, nurses, and personnel employed by the Allegheny Intermediate Unit or other contracted agencies within Propel Schools who have been determined by Propel Schools to have legitimate educational interests or are providing instruction or services to students. Propel Schools has determined that all school employees involved in the direct supervision of a student (academic or non-academic) (including support staff) have a legitimate educational interest in academic and health related student information if the information is necessary to ensure appropriate fulfillment of their professional duties and to ensure the health and safety of the student.
2. Officials of another school or school system or post-secondary schools in which the student seeks or intends to enroll, subject to the requirements set forth in 99.34. Parents may request a copy of the record sent.
3. Appropriate parties in a health or safety emergency, subject to the conditions set in 99.36, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
4. Information designated by Propel Schools as Directory Information.
5. Generally, schools must have written permission from the parent/guardian or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - Specified officials for audit and evaluation purposes
 - Appropriate parties in connection with financial aid to a student
 - Organizations conducting studies for or on behalf of the school
 - Accrediting organizations
 - To comply with a judicial order or lawfully issued subpoena
 - State and local authorities, within the juvenile justice system, pursuant to specific state law
 - Contracted, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official under this paragraph---
 - (1) Performs an institutional service or function for which the agency or institution would otherwise use employees;
 - (2) Is under the direct control of the agency or institution with respect to the use and maintenance of education records; and
 - (3) Is subject to the requirements of §99.33 (a) governing the use and re-disclosure of personally identifiable information from education records.

Propel Schools will use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

When providing records to authorized third parties, Propel Schools will make a reasonable attempt to notify the parent(s)/guardian(s) of the student or the eligible student of the transfer of the records at the last known address of the parent(s)/guardian(s) or eligible student. Per state law, Propel Schools will not provide any notice of transfer of records of a student to a school in which a student seeks or intends to enroll.

Propel Schools maintains student records in the individual Propel buildings. Student special education records, student health records, and 504 student service plans are kept in separate locked files at the Propel Schools' administrative office until the time when the student is no longer active. Once a student becomes inactive in a Propel school, their records are transferred to a locked storage space.

PLEASE NOTE: PROPEL SCHOOLS MAY DESTROY RECORDS UNDER THE FOLLOWING CIRCUMSTANCES AND TIMELINES

- a. Records that include a student's name, address, grades, attendance records, classes attended, grade level completed and year completed may be destroyed once 100 years have passed since the student's 24th birthday.
- b. **Special Education records**, Section 504 records, Response to Intervention (RTI) records, and health records **may be destroyed once 10 years have passed from the date a student has graduated or reached graduation age** (if exiting Propel Schools before graduation) as long as there is no outstanding request to inspect and review the records and the records are no longer deemed useful to Propel Schools.
- c. **Notice of destruction of these records is provided annually via this publication.** Educational records of a student are longer needed by Propel Schools to provide educational services at the end of one year following a student's graduation from Propel Schools. A parent/guardian may submit a written request for the destruction of all education records at that time.
- d. Destruction will proceed where parents or eligible students have not requested copies by November 1st of the year the records may be destroyed as per paragraphs A and B above. Parents/guardians or students over eighteen have the right to request a copy of their record before destruction.

In accordance with 34 CFR § 300.624, Propel Schools will adhere to the following retention/destruction schedule for the Pennsylvania Alternate System of Assessment (PASA), Pennsylvania System of School Assessment (PSSA), and Keystone Exam related materials:

- PSSA, Keystone Exam, and PASA test booklets will be destroyed one year after student reports are delivered for the administration associated with the test booklets.
- PSSA and Keystone Exam answer booklets and PASA media recordings will be destroyed three years after completion of the assessment.

Parents/Guardians are reminded that copies of the records might be needed for the acquisition of Social Security benefits or for other purposes.

Amendment of Education Records

A parent/guardian or eligible student has the right to request amendment of a student's educational file if it is believed that any information is inaccurate or in violation of a student's rights. The educational agency shall decide within a reasonable time whether to amend the record. If Propel Schools decides not to amend the educational record, it shall notify the parent/guardian or student of the right to and arrange an informal hearing. The hearing will be conducted by an official of Propel Schools without an interest in the outcome, who will be either the Director of Pupil Services or their designee. The parent may present relevant evidence. Propel Schools will issue a written decision based on the hearing. Informal inquiries may be sent to: ferpa@ed.gov or ppra@ed.gov. The website address is: www.ed.gov/policy/gen/guide/fpcd.

Complaints regarding violation of rights accorded parent(s)/guardian(s) and eligible students with respect to student records are to be submitted in writing to Director of Pupil Services, Propel Schools, 3447 East Carson Street, Pittsburgh, PA 15203. All Complaints will be investigated and responded to in writing within a reasonable period of time. If complaints cannot be satisfactorily resolved by Propel Schools, complaints can be filed with the following:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605**

Questions regarding the above information or requests for a copy of the records policy may be referred to: Director of Pupil Services, Propel Schools, 3447 East Carson Street, Pittsburgh, PA 15203.

SCREENING AND EVALUATION

Propel Schools has a three-part screening process in place that identifies any student who may need special education.

LEVEL 1: Review of Group-Based Data

The building principals, general education teachers, and special education teachers review enrollment information, academic and health records, and results from group-based tests such as Dynamic Indicators of Basic Early Literacy Skills (DIBELS), Measure of Academic Performance Assessment (MAP), Developmental Reading Assessment (DRA), 4- Sight Assessments, and the Pennsylvania System of School Assessment (PSSA). For incoming kindergarten students, results from a kindergarten readiness screening are examined. Data gathered through a thorough review of records may prompt a referral for screening of a child for special education services.

LEVEL 2: Review of Hearing, Vision, Motor, Speech and Language

As prescribed by Section 1402 of the Pennsylvania school code, Propel Schools routinely conducts health screenings for kindergarten (K) through 12th grade students and new students without history of recent exams: Vision (Gr. K-12); Hearing (Gr. K-3, 7, & 11 and any student with a known history of hearing loss and ungraded students); Mandated Physical Exams (Gr. K or 1, 6, and 11); Dental Screenings (Gr. K or 1, 3 and 7); Scoliosis Screening (Gr. 6 & 7); and Body Mass Index (BMI) Screening (Gr. K-12). Speech and language skills are screened in kindergarten and upon referral to the speech pathologist. Gross motor and fine motor skills, academic and social-emotional skills are assessed by the general education

teachers, special education teachers, and support staff on an ongoing basis. Specified needs from all of these screening sources are noted within the child's official file, discussed with parents and, and when appropriate, referred to the Response to Instruction and Intervention team (RtII) which meets monthly to conduct various ongoing screenings and to develop interventions and supports.

LEVEL 3: Response to Instruction and Intervention and Team (RtII Team)

RtII is a group process aimed to maximize individual student success in the regular classroom, consider barriers to learning, and to serve as a screening process for students who may be in need of special education services. RtII is a positive, team-based process that uses intervention techniques to help remove educational, behavioral or affective stumbling blocks for all students in the regular education environment. The RtII program is applicable for students in grades kindergarten through 12. Referrals for RtII may be initiated by the parent, classroom teacher, or any staff member. RtII includes general education teachers, special education teachers, instructional coaches, school counselors, related service providers, and administrators.

RtII Process:

- A. Identify the student's needs for academic and behavioral support and identify the strategies that have been tried within the classroom.
- B. Determine more specific interventions to be implemented
- C. Implement the interventions
- D. Determine if the interventions are addressing the student's needs
 - a. If the interventions work, continue the interventions
 - b. If the interventions do not work, determine if the interventions need more time to be implemented or refer the student for a multidisciplinary evaluation (MDE)

Parents or guardians may request that their child be screened or evaluated for special education services. Requests for screening or evaluation should be made in writing and directed to the attention of Director of Pupil Services, Propel Schools, 3447 East Carson Street, Pittsburgh, PA, 15203.

Parent or guardians should request an evaluation for special education services if their child demonstrates warning signs of a developmental delay.

What are the warning signs of a developmental delay?

There are several general "warning signs" of possible delay. These include:

- Behavioral Warning Signs
 - Does not pay attention or stay focused on an activity for as long a time as other children of the same age
 - Focuses on unusual objects for long periods of time; enjoys this more than interacting with others
 - Avoids or rarely makes eye contact with others
 - Gets unusually frustrated when trying to do simple tasks that most children of the same age can do
 - Shows aggressive behaviors and acting out and appears to be very stubborn compared with other children
 - Displays violent behaviors on a daily basis
 - Stares into space, rocks body, or talks to self more often than other children of the same age

- Does not seek love and approval from a caregiver or parent
- Gross Motor Warning Signs
 - Has stiff arms and/or legs
 - Has a floppy or limp body posture compared to other children of the same age
 - Uses one side of body more than the other
 - Has a very clumsy manner compared with other children of the same age
- Vision Warning Signs
 - Seems to have difficulty following objects or people with his/her eyes
 - Rubs eyes frequently
 - Turns, tilts or holds head in a strained or unusual position when trying to look at an object
 - Seems to have difficulty finding or picking up small objects dropped on the floor (after the age of 12 months)
 - Has difficulty focusing or making eye contact
 - Closes one eye when trying to look at distant objects
 - Eyes appear to be crossed or turned
 - Brings objects too close to eyes to see
 - One or both eyes appear abnormal in size or coloring
- Hearing Warning Signs
 - Talks in a very loud or very soft voice
 - Seems to have difficulty responding when called from across the room, even when it is for something interesting
 - Turns body so that the same ear is always turned toward sound
 - Has difficulty understanding what has been said or following directions after once he/she has turned 3 years of age
 - Doesn't startle to loud noises
 - Ears appear small or deformed
 - Fails to develop sounds or words that would be appropriate at his/her age

Services for School Age Students with Disabilities

Propel Schools provides a free, appropriate public education to students with disabilities according to state and federal regulations. To be eligible, the child must:

- Be of school age.
- Have a disability 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, deafness, emotional disturbance, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment including blindness.

If a student is found eligible for an Individual Education Program (IEP) according to state and federal regulations, the following services are designed to meet the needs of eligible students with disabilities:

- The annual development of an Individualized Education Program (IEP).

- A triennial multidisciplinary re-evaluation for students with disabilities (except for those students with Intellectual Disabilities where evaluation remains biennial).
- A range of supports for students from itinerant level to supplemental level to full time level special education support within Propel Schools or placement in a full-time special education disabilities class outside of the regular public school.

The extent of special education services for students with disabilities and the location for the delivery of such services are determined by the parent(s)/guardian(s) and Propel Schools' staff at the IEP team meeting and are based on the student's identified needs and abilities, chronological age and the level of intensity of the specified intervention. Propel Schools also provides related services, such as, physical therapy, occupational therapy, speech and language support, vision support, hearing support, and assistive technology if the services are required to enable the student with disabilities to receive educational benefits.

Prior to initiation of services, parent(s)/guardian(s) of a student with disabilities are presented a "Notice of Recommended Educational Placement/Prior Written Notice" (NOREP) to document the recommended special education placement and may include the recommended related services. If parent(s)/guardian(s) agree to the program recommended by the multidisciplinary team and the parent signs the NOREP, the special education 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/guardian of a child identified as having a disability.

Services for Protected Handicapped Students

Propel Schools 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 school programs and extracurricular activities to the extent appropriate to the student's abilities. To qualify as a protected handicapped student, the child must be of school age with a physical or mental handicap which substantially limits or prohibits participation in or access to an aspect of the school program.

Services for protected handicapped students are distinct from those applicable to disabled students enrolled in special education programs. Protected handicapped students fall under Pennsylvania's Chapter 15, sometimes known by its federal name, Section 504 (of the 1973 Rehabilitation Act). In contrast, students with disabilities who qualify for special education services are covered by regulations contained in Pennsylvania's Chapter 711. While both Chapters 711 and 15 provide services to students, there are technical differences between the two. Additional information about evaluation procedures and provision of services to protected handicapped students is available by contacting the Director of Pupil Services, Propel Schools, 3447 East Carson Street, Pittsburgh, PA, 15203.

Confidentiality of Student Records

The privacy rights of parents and students are mandated by federal legislation known as the Family Educational Rights and Privacy Act of 1974 (FERPA - C.F.R. Part 99), most recently amended in November 1996, state regulations (Chapter 711-Special Education Services and Programs, Chapter 12-Student Rights and Responsibilities) and Propel Schools policy.