

Child Find
Esperanza Academy Charter Schools

Annual Public Notice 2016- 2017

Notice of Special Education Services and Programs Child Find

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, to offer assistance to parents, and to describe the parents' rights with regard to confidentiality of information that will be obtained during this process.

The content of this notice has been written in English. If a person does not understand any of this notice, he or she should contact the school district (see Special Education Contacts) and request an explanation.

Identification Activity

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, may 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 impairment, traumatic brain injury and visual impairment including blindness. In the case of a child that is of preschool age, developmental delay.

Each school district is required to annually provide notice describing the identification activities and the procedures followed to ensure confidentiality of personally identifiable information. This notice is intended to meet this requirement.

Identification activities are performed to find a child who is suspected as having a disability that would interfere with his or her learning unless special education programs and services are made available. These activities are sometimes called screening activities. The activities include:

- **Review of group data**
- **Conducting hearing and vision screening**
- **Assessment of student's academic functioning**
- **Observation of the student displaying difficulty in behavior**
- **Determining the student's response to attempted remediation**
- **Input from parents is also an information source for identification**

After a child is identified as a suspected child with a disability, he or she is evaluated, but is not evaluated before parents give written permission for their child to be evaluated. Regardless of screening activities, parents who think their child is a child with a disability may request in writing at any time, that an evaluation be conducted to determine if the child is eligible to receive special

education services. Parents also have the right to obtain an independent educational evaluation. The school district must provide to parents, on request, information about where an independent educational evaluation may be obtained. Under certain circumstances, such an independent educational evaluation may be obtained at public expense. Written requests should be sent to the school district/charter school Special Education Contact Person, as listed in this notice.

Educational Records/Confidentiality

All records that are directly related to an individual child are called educational records and are maintained by the local school district. Information contained in these records such as the child's name, the name of the child's parents or other family member, the address of the child or their family, a personal identifier such as social security number or a list of characteristics or information that would make the child's identity easily traceable is called *personally identifiable information*.

Each school district, in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 and other applicable federal and state laws, protects the confidentiality of personally identifiable information regarding students that are identified as children with disabilities and eligible for special education services and protected handicapped students. The school district protects the personally identifiable information by one school official being responsible for ensuring the confidentiality of the records; training being provided to all persons using the information, and maintaining for public inspection a current list of employees' names and positions who may have access to the information. The school district will inform you when this information is no longer needed to provide educational services to your child and will destroy the information at the request of the parent, except general information such as your child's name, address, phone number, grades, attendance record, classes attended, and grade level completed may be maintained without time limitation.

As the parent of the child you have a number of rights regarding the confidentiality of your child's records; for example, the right to inspect and review any education records related to your child that are collected, maintained, or used by the school district. The school district will comply with a request for you to review the records without unnecessary delay and before any meeting regarding planning for your child's special education program (called an IEP meeting), before a hearing should you and your school district disagree about how to educate your child who needs special education, and in no case, take more than 45 days to furnish you the opportunity to inspect and review your child's records.

You have the right to an explanation and interpretation of the records; to be provided copies of the records if failure to provide the copies would effectively prevent you from exercising your right to inspect and review the records and; the right to have a representative inspect and review the records.

Upon your request, the school district will provide you a list of the types and locations of education records collected, maintained, or used by the agency. Additionally, the school district may charge a fee for copies of records made in response to your request for copies, except it will not charge a fee if doing so will prevent you from inspecting and reviewing your child's records. The district will not charge a fee to search or retrieve information.

You have the right to request the amendment of your child's education records that you believe are inaccurate or misleading, or violates the privacy or other rights of your child. The school district will decide whether to amend the records within a reasonable time after receiving your request. If the school district refuses to amend the records you will be notified of the refusal and your right to a hearing. You will be given at that time, additional information regarding the hearing procedures and, upon request, the district will provide you a records hearing to challenge information in your child's education files.

Parent consent is required before *personally identifiable information* contained in your child's education records is disclosed to anyone other than officials of the school district collecting or using the information for purposes of identification of your child, locating your child and evaluating your child or for any other purpose of making available a free appropriate public education to your child. 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 responsibility. Additionally, the school district, upon request, discloses records without consent to officials of another school district in which your child seeks or intends to enroll.

School districts may establish a policy for disclosure of some types of student information known as *directory information*. *Directory information* is not subject to access or disclosure rules under FERPA. *Directory information* is that portion of an educational record which would not generally be considered harmful or an invasion of privacy if disclosed. This information may include but is not limited to the student's name and school activities, local and permanent address, family members' names, addresses and telephone numbers, major fields of study, names of previous school attended and enrollment status. Parents may refuse to allow the school district to designate any or all of their child's record as directory information. Parents should contact their local school district if they do not want directory information released about the child.

When a child reaches age 18, the rights of the parent with regard to confidentiality of *personally identifiable information* is transferred to the student.

A parent may file a written complaint alleging that the rights described in this notice were not provided to the following:

Pennsylvania Department of Education
Bureau of Special Education
Division of Compliance
333 Market Street
Harrisburg, PA 17126-0333

The Department of Education will investigate the matter, issue a report of findings and necessary corrective action within 60 days. The Department will take necessary action to ensure compliance is achieved.

Complaints alleging failures of the school district with regard to confidentiality of *personally identifiable information* may also be filed with:

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

If a parent has questions, please refer them to:
Carey Zeigler- Special Education Coordinator
czeigler@neacademy.net
215-457-3667 ext 2258

Services for Protected Handicapped Students

Students who are not eligible to receive special education programs and services may qualify as protected handicapped students and therefore be protected by other federal and state laws intended to prevent discrimination. The school district must ensure that protected handicapped students have equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate for each individual student. In compliance with state and federal law, the 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. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the school program.

These services and protections for "protected handicapped students" may be distinct from those applicable to exceptional or thought-to-be exceptional students. The school district or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provision of services to protected handicapped students, parents should contact the Special Education Contact listed above.