



**LA ACADEMIA**

PARTNERSHIP CHARTER SCHOOL

**Public Notice:**

**Children with Disabilities**

It is the responsibility of the Pennsylvania Department of Education to ensure that all children with disabilities residing in the Commonwealth, regardless of the severity of the disability, and who are in need of special education and related services, are identified, located and evaluated. This responsibility is required by federal law called the Individuals with Disability Act (IDEA).

State and federal special education regulations require each school district to provide notice to the community by publishing public notice to parents, in newspapers, or by other media, regarding the school districts identification and screening activities which take place at La Academia Partnership School.

The school district is required to provide a Free and Appropriate Public Education (FAPE) to children with disabilities who are determined, through the evaluation process, in need of special education supports and services under IDEA. Pennsylvania has adopted state laws which conform to IDEA regulations which the school district must follow. Students are eligible for services if they have one or more of the 14 disabilities and they need specially designed instruction and services.

**Screening**

The District shall establish a system of screening, including hearing and vision screenings. Screenings shall be conducted at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

**Evaluation**

Evaluation is the procedure used to determine whether a child has a disability and if the extent of the child's disability would be eligible for special education and related services. Evaluation procedures and processes are determined on an individual basis by a Multi-Disciplinary Team, which includes parents. Parents are asked to provide permission to evaluate through a formal Request for an Evaluation. The evaluation takes into consideration cultural issues as they determine the assessment tools that will be administered for the student. The evaluation shall be completed and a copy provided to the parent no later than 60 days after the permission has been signed.

Parents who believe their child is a child with a disability may request an evaluation at any time. The school district must then issue a formal permission and conduct an evaluation to determine the needs of the child.

**Parent - Independent Evaluation:**

An independent educational evaluation ("IEE") is an evaluation conducted by an independent qualified examiner (a person who does not work for the school district) at the school districts expense. A qualified examiner is defined as an individual who meets the same requirements as a school district employee. It is important that if a school is to consider the results of the independent evaluation, the person conducting the IEE must have the same "credentials" as required by the school district or intermediate unit, and the evaluation meets the same criteria the school entity would use to evaluate students.

A parent has the right to an independent educational evaluation at public expense if the parent disagrees with the evaluation obtained by the school district. A parent needs to make the request in writing to the

Special Education Office. A special education administrator must review the request. The school entity must notify the parent indicating approval or denial of the request. If the school entity denies the request for an IEE at public expense, the district must request a due process hearing. If the school district initiates a hearing and the final decision is that the district's evaluation is appropriate, the parent still has the right to an independent evaluation, but not at public expense.

### **Parent –Initiated Evaluations**

If the parent obtains an educational evaluation at private expense, the results of the evaluation must be considered by the school district, if it meets the school districts criteria. These decisions must pertain to any provision of FAPE.

### **Consent**

Consent means the parents have been fully informed regarding the procedure of evaluation requiring consent in their native language. It is important that the parent understands that consent is voluntary and may be revoked at any time. The school district cannot proceed with an evaluation or with initial provisions of special education without written consent from parents.

The school district must also obtain consent before disclosing personally identifiable information from the student's records.

### **Educational Placement**

After the evaluation team has determined that the student is eligible for special education, an IEP team develops an educational program based on the evaluation which identifies the type of service, the level of intervention, and the location of the intervention. The IEP team must include an LEA, a general education teacher, a special education teacher, the parents, and the student if they are 14 years of age.

An IEP describes a student's current educational levels, goals, the educational program and services needed to provide the most appropriate program for the student. Special Education Placements must be in the least restrictive environment in which the students needs can be met. All students with disabilities must be educated to the maximum extent possible with their non-disabled peers. A student's IEP is reviewed on an annual basis or more often should the team feel the need for a revision.

### **Services for Protected Handicapped Students**

In compliance with state and federal law, and 22 Pa. School Code Chapter 15, the 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 an equal opportunity to participate in and obtain the benefits of the school programs and participate in 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 one or more major life activities which prohibits participation in, or access to, an aspect of school programs. These services and protections for "protected handicapped students" are different from those applicable to all students eligible or thought to be eligible for special education services and must be designed to meet individual educational needs of the handicapped individual as adequately as the needs of non-handicapped persons are met.

The school district or parent may at any time initiate an evaluation of a student. Parents who wish to have a child evaluated should contact their building principal or guidance counselor for further information on the evaluation procedures and provision of services to protected handicapped students.

### **Confidentiality**

The District shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.

District staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations and Board policy.

Parents and eligible students have the right to inspect and review their child's educational records. The District will comply with a request to inspect and review educational records without unnecessary delay.

### **Educational Records**

"Educational records" means records, files, documents and other materials that are directly related to the student which are maintained by an educational agency or by a party acting for the agency. "Education agency", for purposes of this notice, means the local school district. For all students, the district maintains educational records, which include but are not limited to personally identifiable and confidential information, as well as, directory information.

Personally Identifiable and Confidential Information includes, but is not limited to:

- The student's name, name of parents and/or other family members;
- The address of the student and/or the student's family;
- Personal identifier, such as the student's social security number, student number, or biometric record;
- Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
- 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
- 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.

Directory information is information contained in an educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to:

- the student's name, address, telephone number, date and place of birth, major field of study;
- participation in officially recognized activities and sports;
- weight and height of members of athletic teams;
- dates of attendance;
- degrees and awards received; and
- previous educational agency or institution attended.

Directory information may be released without parental consent to anyone who is entitled to see it under FERPA. Parents have the right to refuse to let an agency designate any or all of the above information directory information. If a parent does not want directory information released the parent should contact the Assistant Superintendent of Schools.

Please take notice that the district may destroy educational records, including electronically stored information, when they are no longer necessary to provide educational services to a student. Records which are destroyed each summer include discipline referrals, bus incident reports, trip approval forms, and kindergarten screening assessments at the conclusion of second grade. Parents may contact the guidance department by the last day of the school year to request copies of such records prior to destruction. Additionally, the school district will inform parents 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 parents. However, a permanent record of a student's name, address, and telephone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

“Destruction” of records means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

Records shall not be destroyed when a request for such records is pending. Parents are reminded that copies of records may be needed for the acquisition of Social Security benefits or for other purposes. Parents should contact the district for records prior to destruction or to request destruction of records.