

**School Lane Charter School  
2400 Bristol Pike  
Bensalem, PA 19020**

***Annual Public Notice of Special Education Services and Programs and Rights for Students with Disabilities  
And  
Notification of Rights Under the Family Educational Rights and Privacy Act***

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 their disabilities, and who are in need of special education and related services, are identified, located, and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Education Act (IDEA). IDEA requires each state educational agency to publish a notice to parents, in newspapers or other media, before any major identification, location, or evaluation activity. IDEA requires this notice to contain certain information.

Another federal law, the Family Educational Rights and Privacy Act of 1974 (FERPA), which protects confidentiality, requires educational agencies to notify parents annually of their confidentiality rights.

School Lane Charter School (SLCS) fulfills its duties with this annual notice.

The purpose of this notice is to describe (1) the types of disabilities that might qualify the child for such programs and services, (2) the special education programs and related services that are available, (3) the process by which the public schools screen and evaluate such students to determine eligibility, (4) the special rights that pertain to such children and their parents or legal guardians and (5) the confidentiality rights that pertain to student information.

**What types of disability might qualify a child for special education and related services?**

Under the federal Individuals with Disabilities Education Act, or "IDEA," children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need such services:

- (1) mental retardation;
- (2) hearing impairments, including deafness;
- (3) speech or language impairments;
- (4) visual impairments, including blindness;
- (5) emotional disturbance;
- (6) orthopedic impairments, or physical disabilities;
- (7) autism, including pervasive developmental disorders;
- (8) traumatic brain injury, or neurological impairment;
- (9) other health impairment; and
- (10) specific learning disabilities.

Children with more than one of the foregoing disabilities could qualify for special education and related services as having multiple disabilities.

The legal definitions of the above-listed disabilities, which the public schools are required to apply under the IDEA, may differ from those used in medical or clinical practice. The legal definitions, moreover, could apply to children with disabilities that have very different medical or clinical disorders. A child with attention deficit hyperactivity disorder, for example, might qualify for special education and related services as a child with "other health impairments," "emotional disturbance," or "specific learning disabilities" if the child meets the eligibility criteria under one or more of these disability categories and if the child needs special education and related services as a result.

Under Section 504 of the federal Rehabilitation Act of 1973, and under the federal Americans with Disabilities Act, some school age children with disabilities who do not meet the eligibility criteria outlined above might nevertheless

be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program.

If a charter school admits children below school age, the Commonwealth provides early intervention services to eligible children with special needs who are at least 3 years of age but younger than the age of beginners through agencies which hold Mutually Agreed Upon Written Agreements (MAWAs).

### **What programs and services are available for children with disabilities?**

Public schools must ensure that children with disabilities are educated to the maximum extent possible in the regular education environment, and that the instruction they receive conforms as much as possible to the instruction that non-disabled students receive. Programs and services available to students with disabilities, in descending order of preference, may include (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource classroom; (4) part time special education class placement in a regular public school or alternative setting; and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting.

Depending on the nature and severity of the disability, the public school can provide special education programs and services in areas such as (1) the public school the child would attend if not disabled, (2) an alternative regular public school either in or outside the school district of residence, (3) a special education center operated by a public school entity, (4) an approved private school or other private facility licensed to serve children with disabilities, (5) a residential school, (6) approved out-of-state program, or (7) the home.

Special education services are provided according to the primary educational needs of the child, not the category of disability. The types of service available include: (1) learning support, for students who primarily need assistance with the acquisition of academic skills; (2) life skills support, for students who primarily need assistance with development of skills for independent living; (3) emotional support, for students who primarily need assistance with social or emotional development; (4) deaf or hearing impaired support, for students who primarily need assistance with deafness; (5) blind or visually impaired support, for students who primarily need assistance with blindness; (6) physical support, for students who primarily require physical assistance in the learning environment; (7) autistic support, for students who primarily need assistance in the areas affected by autism spectrum disorders; and (8) multiple disabilities support, for students who primarily need assistance in multiple areas affected by their disabilities.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services include but are not limited to, speech and language therapy, occupational therapy, physical therapy, nursing services, audiologist services, counseling, and family training.

The public school, in conjunction with the parents, determines the type and intensity of special education and related services that a particular child needs based exclusively on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is developed by an IEP team consisting of educators, parents, and other persons with special expertise or familiarity with the child. The parents of the child have the right to be notified of and to participate in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but reviewed at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational progress to the student at all times. IEPs contain, at a minimum, a statement of present levels of educational performance, an enumeration of the annual goals and short-term objectives or benchmarks established for the child, and a statement of the special education and related services that the child needs to make meaningful educational progress. For children aged fourteen and older, the IEP must also include an appropriate transition plan to assist in the attainment of post-secondary objectives. SLCS must invite the child to the IEP team meeting at which the transition plan is developed.

**Process for Screening and evaluating children to determine  
eligibility for special education and related services**

**Screening**

Each educational agency must establish and implement procedures to locate, identify and evaluate children suspected of being eligible for special education. These procedures involve screening activities which include but are not limited to: review of group-based data (cumulative records, enrollment records, health records, and report cards); hearing screening (at kindergarten, first, second and third grades); vision screening (every grade level); motor screening; and speech and language screening.

Except as indicated above or otherwise announced publicly, screening activities take place in an on-going fashion throughout the school year. Screening is conducted at SLCS unless other arrangements are necessary. If parents need additional information regarding the purpose, time, and location of screening activities, they should call or write the Principal of SLCS at:

**School Lane Charter School-Elementary Campus  
2400 Bristol Pike  
Bensalem, PA 19020**

**School Charter School- IB Campus  
3340 Tillman Drive  
Bensalem, PA 19020**

Screening activities are often undertaken before SLCS refers most children for a multidisciplinary team evaluation. When concerns raised either by school staff or parents warrant screening, the child is referred to the Vice Principal for Learning Support. The Vice Principal will work with the regular education and appropriate learning support teachers to determine the need for and implementation of an Response to Intervention (RtI) plan. The Learning Support Team (LST) is responsible for assessing the current achievement and performance of the child, for designing school-based interventions to address concerns raised, and for assessing the effectiveness of those school-based interventions. If the concern that resulted in the referral can be addressed without special education services, or is the result of the lack of English proficiency or appropriate instruction, the LST will recommend interventions other than multidisciplinary team evaluation. Parents nevertheless have the right to request a multidisciplinary team evaluation at any time, regardless of the outcome of the screening process.

**Evaluation**

When screening indicates that a student may be eligible for special education, SLCS will seek parental consent to conduct an evaluation. Evaluation means procedures used in the determination of whether a child has a disability and the nature and extent of the special education and related services needed by the child. The term evaluation refers to procedures used selectively with an individual child and does not indicate basic tests administered to or procedures used with all children. Before the public school can proceed with an evaluation, it must notify the parents in writing of the specific types of testing and assessment it proposes to conduct, of the date and time of the evaluation, and of the parents' rights. The evaluation cannot begin until the parent has signed the written notice indicating that he or she consents to the proposed testing and assessments and has returned the notice to the public school. Once parental consent for evaluation is obtained, the school has timelines and procedures specified by law that it must follow. The law contains additional provisions and due process protections regarding situations in which parental consent for an initial evaluation is absent.

This evaluation is called a Multi-Disciplinary Evaluation (MDE). It is conducted by a Multi-Disciplinary Team (MDT) which includes a teacher, other qualified professionals who work with the child, and the parents. The MDE process must be conducted in accordance with specific timelines and must include protection-in-evaluation procedures. For example, tests and procedures used as part of the Multi-Disciplinary Evaluation may not be racially or culturally biased.

The MDE process results in a written evaluation report called an Evaluation Report (ER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction.

Parents who think their child is eligible for special education may request, at any time, that SLCS conduct a Multi-Disciplinary Evaluation. **Requests for a Multi-Disciplinary Evaluation must be made in writing to the Vice Principal of Learning Support at:**

**SLCS-Elementary Campus (K-6)**  
**2400 Bristol Pike**  
**Bensalem, PA 19020**

**SLCS-IB Campus**  
**3350 Tillman Drive**  
**Bensalem, PA 19020**

If a parent makes an oral request for a Multi-Disciplinary Evaluation, SLCS shall provide the parent with a form for that purpose. If the public school denies the parents' request for an evaluation, the parents have the right to challenge the denial through an impartial hearing or through voluntary alternative dispute resolution such as a prehearing conference or mediation.

### **Educational Placement**

The determination of whether a student is eligible for special education is made by an Individualized Education Program (IEP) team. A single test or procedure may not be the sole factor in determining that a child is exceptional. The IEP team includes: the parents of a child with a disability; not less than one regular education teacher, if the child is, or may be, participating in the regular education environment; not less than one special education teacher, or when appropriate, not less than one special education provider; a representative of the school who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, is knowledgeable about the general education curriculum, and is knowledgeable about the availability of resources of the School; an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above; other individuals, at the discretion of the parent or the agency, who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and whenever appropriate, a child with a disability. If the student is determined to be eligible for special education, the IEP team develops a written education plan called an IEP. The IEP shall be based in part on the results of the Multi-Disciplinary Evaluation. The IEP team may decide that a student is not eligible for special education. In that instance, recommendations for educational programming in regular education may be developed from the ER.

An IEP describes a student's current educational levels, goals, objectives, and the individualized programs and services, which the student will receive. IEPs are reviewed on an at least an annual basis. The IEP team will make decisions about the type of services, the level of intervention, and the location of intervention.

Placement must be made in the least restrictive environment in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

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

Students who are not eligible to receive special education programs and services may qualify as handicapped students and therefore be protected under federal statutes and regulations intended to prevent discrimination (in particular, 34 CFR Part 104 and 28 CFR Part 35). SLCS must ensure that qualified 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 federal law, SLCS 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 that 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 eligible or thought-to-be eligible students. SLCS 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 school Principal.

### **Protections for Eligible Students**

State and federal law grant many rights, protections and procedural safeguards to children with disabilities and their parents, including mediation and due process hearing request rights. A written summary of those procedural safeguards and protections is available to parents and students upon request to the Principal of SLCS.

### **Rights and Protection**

SLCS must notify parents in writing whenever it proposes to initiate or to change substantially the identification, evaluation, educational program, or placement of a child or whenever it refuses to initiate or make a change in identification, evaluation, educational program, or placement requested by a parent. Such notice must be accompanied by a full written description of the parents’ rights.

The public school cannot proceed with an evaluation or reevaluation, or with the initial provision of special education and related services, without the written consent of the parents, unless, after seeking such consent, it obtains the approval of an impartial hearing officer or judge following a hearing. If the parents fail to respond to a written request for permission to reevaluate, however, the public school may proceed with the proposed reevaluation without receipt of written consent if the school has taken reasonable measures to obtain consent and the parent has not responded.

***Protection in Evaluation Procedures:*** Evaluations to determine eligibility and current need for special education and related services must be administered in a manner that is free of racial, cultural, or linguistic bias. Evaluations cannot consist of a single test or assessment, and testing must be a valid measure of the psychological, social, emotional, or other learning characteristic or behavior that the school is using it to measure. Testing and assessment must be administered in accordance with professional standards and the criteria established by the publisher. It must be administered in the native language of the child.

Once the child has been identified as being eligible for special education, the child must be reevaluated to determine whether the child remains eligible. A reevaluation must be conducted every three years unless the parent and school agree otherwise. Under state law, an exception to this is if a child has mental retardation. For students who have been determined to have mental retardation, reevaluations must occur every two years according to state law.

***Independent Educational Evaluation:*** Parents of children with disabilities have the right to obtain an independent educational evaluation of the child. Each public school will provide to the parents, upon request, information about where an independent educational evaluation may be obtained and the criteria established by the public school for an independent educational evaluation at public expense. If the parent obtains an independent evaluation at private expense, the results of the evaluation must be considered by the public school in any decision made with respect to the provision of a free appropriate public education to the child, if it meets the public school criteria. If parents disagree with the evaluation conducted by the public school, they may request in writing an independent educational evaluation, or “IEE,” at public expense. The policy of the School is to refuse to pay for such evaluations if the independent evaluator is not a Pennsylvania certified or licensed professional, if the evaluation is not conducted in the same manner that the law requires of public school evaluations, or if the cost of the evaluation substantially exceeds the prevailing cost of similar evaluations in the region. Exceptions to these limitations will be granted only for compelling reasons. If the public school refuses to pay for the IEE, it must request an immediate special education due process hearing to defend the appropriateness of its evaluation. If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

***Special Education Due Process Hearing:*** Either the parent or the school may request a due process hearing with respect to any matter relating to identification, evaluation, or educational placement of the child, or provision of a free and appropriate public education to such child. However, unless otherwise authorized by law, a parent or school must request the hearing within two years of the date the parent or school knew or should have known about

the alleged action that forms the basis of the complaint. The hearing must occur within timelines specified by state law. Notice must be provided to the other side by the party requesting the due process hearing. The law requires the party who receives the notice to respond to the issues within 10 days. A resolution session must be held prior to the due process hearing, unless such session is waived in accordance with the law. The hearing shall be an oral, personal hearing and shall be closed to the public unless the parents request an open hearing. If the hearing is open, the decision issued in the case, and only the decision, shall be available to the public. If the hearing is closed, the decision shall be treated as an educational record of the student or young child and may not be available to the public. The hearing must be held before an impartial hearing officer at a time and location convenient to the parents. Parents have the right to request a free written or, at the option of the parents, an electronic verbatim transcript or recording of the proceedings, to present evidence and witnesses disclosed to the public school at least five business days before the hearing, to confront evidence and testimony presented by the public school, to review, or have their representative review, their child's complete educational record on request before the hearing, to receive a written or electronic findings of fact and decision from the hearing officer, and to be represented by legal counsel and accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities of their choice. Parents of school age children may, within fifteen days of receipt of the written decision of the hearing officer, appeal the ruling of the hearing officer to a state-level panel of three administrative hearing officers. Upon receipt of the written decision of the appeals panel, parents may file within thirty days an action in the appropriate federal district court or in the Pennsylvania Commonwealth Court. The decision of the hearing officer regarding an eligible young child may be appealed to a court of competent jurisdiction. Failure to pursue due process hearings or to appeal decisions resulting therefrom in a timely manner can bar the ability of the parents to raise some or all of their claims. To request, or obtain information about, a special education due process hearing for school age children, parents are directed to contact SLCS' office of special education or the Principal of SLCS. To request, or obtain information about, a special education due process hearing for eligible young children, parents are directed to contact the Principal of SLCS. Information concerning special education due process hearings also may be obtained from the Office for Dispute Resolution, 6340 Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112-2764; telephone number (800) 222-3352.

***Mediation and Pre-hearing Conferences:*** Without prejudice to the right to a hearing as outlined above, parents and public school officials can agree to mediate or attempt to resolve amicably through a prehearing conference any or all of the issues between them. Information concerning mediation can be obtained from, and requests for mediation can be addressed to Office for Dispute Resolution, 6340 Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112-2764; telephone number (800) 222-3352.

***Maintenance of Placement:*** During any dispute between the public school and the parents, the public school must maintain the child in the then-current educational placement. This "stay put" rule does not apply to programs and placements recommended by public schools in other states, to programs and placements in private schools that are not the recommended placement of the public school, and to exclusions from school for possession or use of an illegal substance or for possession of a weapon when the public school is proposing an alternative school placement for up to forty-five days.

***Attorney's Fees and Costs:*** The court may award reasonable attorneys' fees as part of the costs to a prevailing party who is a school against the attorney of a parent who files a request for a due process hearing or subsequent cause of action that is frivolous, unreasonable or without foundation, or against the attorney of a parent who continued to litigate after the litigation clearly became frivolous, unreasonable or without foundation; or to a prevailing school against the attorney of a parent, or against the parent, if the parent's complaint or subsequent cause of action was presented for any improper purpose, such as to harass, cause unnecessary delay, or to needlessly increase the cost of litigation.

***Private School Tuition Reimbursement:*** In some cases, parents of children who were identified by the public school as eligible for special education and related services and who received such services can recover in a due process hearing or from a court an award of private school tuition reimbursement. Parents can also receive such awards if their child was in need of special education and related services but were not offered such services in a timely manner. To obtain an award of tuition reimbursement, parents must notify their public school of their intent to enroll their child in a private school either verbally at the last IEP team meeting prior to withdrawing their child or in writing received by the public school at least ten days prior to the date on which the child is withdrawn from public school. Parents can obtain tuition only when they can prove at a special education due process hearing that (1) the

public school failed to offer an appropriate program or placement to the child, (2) the parents therefore placed their child in a private school, and (3) the private school placement was proper. Tuition reimbursement awards can be denied or reduced if the parent's behavior was improper or if the parents delayed unreasonably in asserting a claim against the public school in a due process hearing. Such awards could also be denied or reduced if the parents fail to do one of the following: (1) notify the public school of their intent to place the child in a private school at the last IEP team meeting prior to the planned placement or (2) notify the public school in writing of their intent to place the student in a private school at least ten days before withdrawing the student for that purpose.

***Time for Filing Complaints and Requests for Hearings.*** Failure to request a due process hearing within the timeframe mentioned above could affect the rights of the parent to obtain remedies for that denial unless the parent has a compelling reason at law for the failure to request a hearing within that time.

***Rights under Section 504 of the Rehabilitation Act of 1973.*** As noted above, some students with disabilities who are not in need of special education and related services are nevertheless entitled to adaptations and accommodations in their school program or in the physical environment of school buildings, grounds, vehicles, and equipment, when such adaptations or accommodations are required to enable the student to access and participate meaningfully in educational programming and extracurricular activities. Parents are entitled to a written description of the adaptations and accommodations that the public school is willing to offer. This written description is called a "service agreement" or "accommodation plan." The rights and protections described above under the sections regarding "Notice," "Consent," "Protection in Evaluation Procedures," and "Maintenance of Placement" applies to students receiving adaptations and accommodations under Section 504. Parents who have complaints concerning the evaluation, program, placement, or provision of services to a student may request an informal conference with the public school, request a due process hearing, or initiate judicial action in a court of competent jurisdiction. The hearing must be held before an impartial hearing officer at a time and location convenient to the parents. Parents have the right to request a free written or electronic transcript or recording of the proceedings, to present evidence and witnesses disclosed to the public school, to confront evidence and testimony presented by the public school, to review their child's complete educational record on request before the hearing, to receive a written decision from the hearing officer, and to be represented by legal counsel and accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities of their choice. An appeal may be taken from the decision of the hearing officer to a court of competent jurisdiction.

### **Annual Notice of Rights Under the Family Educational Rights and Privacy Act (FERPA)** **Student Records**

#### *Maintenance of Records*

SLCS maintains records concerning all children enrolled in SLCS, including students with disabilities. Records containing personally identifiable information about or related to children with disabilities could include, but are not limited to, cumulative grade reports, discipline records, enrollment and attendance records, health records, individualized education programs, notices of recommended assignment, notices of intent to evaluate and reevaluate, comprehensive evaluation reports, other evaluation reports by public school staff and by outside evaluators, work samples, test data, data entered into the Penn Data system, correspondence between school staff and home, instructional support team documents, referral data, memoranda, and other education-related documents. Records can be maintained on paper, on microfiche, on audio or videotape, and electronically. In the case of personally-identifiable information on paper or stored on magnetic or video tape, the term maintain shall mean kept in a secure file or desk drawer or in the continuous and secure control of a school official with a legitimate educational interest in the content thereof. In the case of personally-identifiable digital information that is electronically-stored, including electronic mail, the term shall mean kept in a secure database located on a server or servers, disk partition, or other electronic storage system specifically designated by the Superintendent or his or her designee as a "student records maintenance site." Records can be located in the central administrative offices of the public school, or other designated area of the school building, central storage facilities and electronic storage systems, and in the secure possession of teachers, building administrators, specialists, psychologists, counselors, and other school staff with a legitimate educational interest in the information contained therein. All records are maintained in the strictest confidentiality.

Records are maintained as long as they remain educationally relevant. Public schools are required by law, however, to maintain a written record of each child's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed for at least 100 years beyond the date on which the child attains the age of twenty-four and to maintain health records for at least two years beyond the date on which the student ceases to be enrolled. The purposes of collecting and maintaining records are (1) to ensure that the child receives programs and services consistent with his or her IEP; (2) to monitor the ongoing effectiveness of programming for the child; (3) to document for the public school and the parents that the student is making meaningful progress; (4) to satisfy the requirements of state and federal agencies who have an interest in inspecting or reviewing documents concerning particular students or groups of students for purposes of compliance monitoring, complaint investigation, and fiscal and program audits; and (5) to inform future programming for and evaluations of the child.

When educational records, other than those which must be maintained, are no longer educationally relevant to the education of students and young children with disabilities, the public school must inform parents of children when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child and *may* destroy the records or, at the request of the parents, *must* destroy them. Public schools are not required to destroy records that are no longer educationally relevant unless the parents so request in writing.

### ***Access to Records***

Upon submitting a request to do so in writing, parents have the right to access the educational records of their child within forty-five days or before any due process hearing, whichever is sooner. The public school will presume that the parent has authority to inspect and review records relating to his or her child unless the agency has been advised in writing that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

Access affords the parents to the following: (1) a response to reasonable requests for an explanation and interpretation of these records by public school personnel; (2) copies of the records if providing copies is the only means by which the parents can effectively exercise their right of inspection and review; and (3) inspection and review of the records by a representative of your choosing upon presentation to the records custodian of a written authorization from the parent. The public school can charge a fee not to exceed its actual costs for copying records so long as the fee does not effectively prevent the parents from exercising their right to inspect and review those records. The public school may not charge a fee to search for or retrieve student records.

After reviewing records, parents may ask the public school to change any information that they believe is inaccurate or misleading or violates the child's privacy rights. The school will make the requested changes or reject the request within a designated timeframe of the receipt of the request in writing. If the school rejects the request, the parent may request an informal hearing. The hearing can be held before any public school official who does not have a direct interest in its outcome. If the parents are dissatisfied with the outcome of the informal hearing, they may submit to the public school a statement outlining their disagreement with the record. The school thereafter must attach a copy of that statement to all copies of the record disclosed to third parties.

### ***Destruction of Information (34 CFR §300.624):***

1) The Charter School must inform parents when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child, and the information must be destroyed at the request of parents. However, a permanent record of the child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

2) In addition, as of July 2018, PDE advises that the following will occur:

a) one year from the date on which student results are delivered for the Pennsylvania System of School Assessment ("PSSA"), Keystone Exams, and Pennsylvania Alternative System of Assessment ("PASA"), PDE will destroy or have destroyed all test booklets; and,

b) three years from the date on which the assessment is completed for the PSSA and Keystone exams, PDE will also destroy or have destroyed all answer booklets, and, for the PASA, PDE will also destroy or have destroyed all media recordings.

### ***Parental Consent for Disclosure of Records***

Parent consent is required in writing prior to the release of any personally identifiable information concerning a child with disabilities. Parent consent is not required, however, prior to the release of information

- (1) to a hearing officer in a special education due process hearing;
- (2) to public school staff and contractors with a legitimate educational interest in the information – including teachers of the child, building administrators, guidance counselors to whom the child is assigned, members of instructional support and multidisciplinary teams in the course of screening and evaluation activities, public school administrators with responsibility for programs in which the student is enrolled or intends to be enrolled, program specialists and instructional aides working with the child, therapeutic staff working with the child, and substitutes for any of the foregoing persons, clerical staff of the agencies enumerated above who are responsible for the maintenance and security of education records and to attorneys, consultants, and school board members when school board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute, any employee or contractor of the School, and any public or private school or facility that the School is using or is proposing to use to provide elementary or secondary education to the student in place of a public school, who is or will be responsible for providing or supervising the provision of education, education-related services, or extra-curricular activities or experiences to or for the student, when—
  - (i) particular information concerning that student is presently or potentially relevant to the provision of such education, education-related services, or extracurricular activities or experiences, or
  - (ii) when such information is necessary to protect the health, safety, or welfare of other students with whom the student might have contact;
- (3) to officials or staff of other schools and school systems at which the student is enrolled or intends to enroll;
- (4) to federal or state education officials and agencies and to the Comptroller of the United States;
- (5) to accrediting organizations to carry out their accrediting functions;
- (6) to comply with a lawful subpoena or judicial order;
- (7) in conjunction with a health or safety emergency to the extent necessary to protect the health and safety of the child or others; or
- (8) that the public schools have designated as “directory information.” Disclosure without consent of the parent is subject to certain conditions more fully described in the Family Educational Rights and Privacy Act, 20 U.S.C § 1332g, and its implementing regulation, 34 C.F.R. Part 99.

SLCS generally designates the following as “directory information”: (1) the name, address, and telephone number of the child; (2) the date and place of birth of the child; (3) participation in school clubs and extracurricular activities; (4) weight and height of members of athletic teams; (5) dates of attendance; (6) diplomas and awards received; (7) the most recent previous institution or school attended by the child; and (8) names of parents, siblings, and other family members. The parent of an actively enrolled public school student may, within thirty days of the publication of this notice, request in writing that information here designated as directory not be disclosed without parental consent. If the public school does not receive such request within this time, it will assume that it may release such information without consent. Written notice must be received either at the local public school in which the child is enrolled or at the administrative offices of the public school at the appropriate address listed below.

Parent’s have a right to file a complaint with the U.S. Department of Education concerning alleged failures by SLCS to comply with the requirements of FERPA. Complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

**THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE LANGUAGE. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE PRINCIPAL OF SLCS FOR AN EXPLANATION. SLCS WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE SCHOOL DISTRICT WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION).**

**THIS NOTICE IS ONLY A SUMMARY OF THE SPECIAL EDUCATION SERVICES, EVALUATION AND SCREENING ACTIVITIES, AND RIGHTS AND PROTECTIONS PERTAINING TO CHILDREN WITH DISABILITIES, CHILDREN THOUGHT TO BE DISABLED, AND THEIR PARENTS AND IS ONLY A SUMMARY OF THE CONFIDENTIALITY RIGHTS REGARDING STUDENT INFORMATION. NOTHING IN THIS NOTICE IS INTENDED TO CONFLICT WITH APPLICABLE FEDERAL OR STATE LAWS. APPLICABLE FEDERAL AND STATE LAWS CONTROL. FOR MORE INFORMATION OR TO REQUEST EVALUATION OR SCREENING OF AN SLCS STUDENT CONTACT:**

**SLCS-Elementary Campus (K-6)  
2400 Bristol Pike  
Bensalem, PA 19020**

**SLCS-IB Campus  
3350 Tillman Drive  
Bensalem, PA 19020**