

**2014-2015 Annual Notice of Special Education Services and Programs  
for Mahanoy Area School District Child Find**

Every 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 related services because of their disabilities (Chapter 14 Pennsylvania Regulations 14.121); Part 300 Federal Regulations 300.125). This notice is to help find these children, offer assistance to parents and describes 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 anyone does not understand this notice, contact the school district 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, charter schools and county jails 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 may cause a child to need services are: autism, deafness, deaf-blindness, hearing impairment, mental retardation, emotional disturbance, 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, and 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. Each school district shall establish a screening system for this purpose. 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 and 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 not before parents give permission for their child to be evaluated.

## Confidentiality of Student Records

If a disability is suspected after screening, your child will be evaluated with your permission. A written record of the results is called an education record, which is directly related to your child and maintained by the school district. These records are personally identifiable to your child. *Personally identifiable information* includes the child's name, the name of the child's parents or other family member, the address of the child or family, a personal identifier such as Social Security number, a list of characteristics that would make the child's identity easily traceable, or other information that would make the child's identity easily traceable.

The school district will gather information about your child's physical, mental, emotional and health functioning through testing, assessment and observation of your child, as well as through review of any records made available to the school district through your physician and other providers of services such as day care agencies.

The school district protects the confidentiality of *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 employee's 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. However, 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. You have 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 location 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 violate the privacy of other rights of your child. The school district will decide whether to amend the

records within a reasonable time of receipt of 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 purposes 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 records 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.

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

All data and information collected and used under the child find requirements of this section are subject to the confidentiality requirements of IDEA (300.560-300.577).

### **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. School districts and the Schuylkill Intermediate Unit 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, school districts will provide to each protected handicapped student, without discrimination or cost to the student or family, those related aids, services or accommodations that 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. 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 exceptional or thought-to-be exceptional students. School districts or parents 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 person on the accompanying list.

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

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 filled with:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-4605

The Schuylkill Intermediate Unit and its member school districts will provide ongoing screening services. If you wish to learn more, have questions, or believe your child may need to be identified, please contact the appropriate person on the accompanying list.

### **Early Intervention Identification**

In Pennsylvania, a child between 3 years of age and the school district's age to begin school who has a developmental delay or one or more of the physical or mental conditions listed above is identified as an *eligible young child*. The parents of these children have the same rights described above.

The Pennsylvania Department of Education is responsible for providing programs and services to eligible young children under Act 212 of 1990, the Early Intervention Services System Act. Screening for preschool children is available through Schuylkill Intermediate Unit for children in Schuylkill County. To schedule an appointment for screening, or for additional information, call 570-544-9131.

## **Schools and Other Instructional Sites, with Contact Persons**

### **Mahanoy Area School District**

One Golden Bear Drive

Mahanoy City, PA 17948

Brandy M. Paul, Director of Special Education

570-773-3443, ext. 4023

### **Schuylkill Intermediate Unit**

P.O. Box 130

Mar-Lin, PA 17951

Debra Arnold

570-544-9131