

# PUBLIC NOTICE FROM PAINTSVILLE INDEPENDENT SCHOOLS

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age or who are attending a postsecondary institution) certain rights with respect to the student’s education records. They are:

- 1) ***The right to inspect and review the student’s education records within forty-five (45) days of the day the District receives a request for access.***

Parents or eligible students should submit to the school principal/designee a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- 2) ***The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or in violation of the student’s privacy or other rights.***

Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading or in violation of privacy or other rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of their privacy or other rights.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- 3) ***The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.***

The Paintsville City School District obtains written consent from a parent or eligible student (age 18 or who is attending a postsecondary institution), before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

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.

Upon request, the District shall disclose education records without consent to officials of another school district in which a student seeks or intends to enroll or to other entities authorized by law.

Written Policies and Procedures have been developed which describe the District’s requirements regarding the confidentiality of personally identifiable information. There are copies in the Principal’s office of each school and in the Board of Education office.

- 4) ***The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.***

The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington, DC 20202-4605**

## DIRECTORY INFORMATION

The Superintendent or the Superintendent's designee is authorized to release Board approved directory information.

Approved directory information shall be: student names and addresses, telephone numbers, 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 most recent educational institution attended by student.

Any eligible student, parent, or guardian who does not wish to have directory information released shall notify the Superintendent in writing on or before September 30 of each school year or within 30 days of distribution of the Student Directory Information Notification form which allows parents to so notify the school district.

The Paintsville City School District keeps educational records in a secure location in each school and Board office.

### **CHILD FIND AND DESTRUCTION OF RECORDS**

The Paintsville Independent School District keeps educational records in a secure location in each school and Board office.

The Paintsville Independent School District obtains written consent from a parent or eligible student (age 18 or who is attending a postsecondary institution), before disclosing personally identifiable information to an entity or individual not authorized to receive it under FERPA.

For students who have been determined eligible for Special Education, educational records will be destroyed at the request of the parents when they are no longer needed to provide educational programs or services. The Paintsville Independent School District may destroy the educational records of a child without parent request seven years after they are no longer needed to provide educational programs or services. Parents are advised that data contained in the records may later be needed for Social Security benefits or other purposes. The Paintsville Independent School District may retain, for an indefinite period of time, a record of the student's name, address, telephone number, grades, attendance records, classes attended, grade level completed, and year completed.

Children eligible for Special Education include those children with disabilities who have autism, deaf-blindness, developmental delay, emotional-behavior disability, hearing impairment, mental disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment and who because of such an impairment need Special Education services.

Children eligible for 504 services include those children who have a current physical or mental impairment that currently substantially limits some major life activity which causes the student's ability to access the school environment or school activities to be substantially limited.

Children eligible for the State-Funded Preschool program include three- and four-year old children identified with disabilities and four-year-old children who are at-risk, as defined by federal poverty levels up to 160%. Preschool children eligible for special education must have an Individual Education Plan (IEP) instead of a 504 plan to received State-Funded Preschool program services.

The Paintsville Independent School District has an ongoing "Child Find" system, which is designed to locate, identify and evaluate any child residing in a home, facility, or residence within its geographical boundaries, age three (3) to twenty-one (21) years, who may have a disability and be in need of Special Education or 504 services. This includes children who are not in school; those who are in public, private, or home school; those who are highly mobile such as children who are migrant or homeless; and those who are advancing from grade to grade, who may need but are not receiving Special Education or 504 services.

The district's "Child Find" system includes children with disabilities attending private or home schools within the school district boundaries who may need special education services.

The Paintsville Independent School District will make sure any child enrolled in its district who qualifies for Special Education or 504 services, regardless of how severe the disability, is provided appropriate Special Education or 504 services at no cost to the parents of the child.

Parents, relatives, public and private agency employees, and concerned citizens are urged to help the Paintsville Independent School District find any child who may have a disability and need Special Education or 504 services. The District needs to know the name and age, or date of birth of the child; the name, address, and phone number(s) of the parents or guardian; the possible disability; and other information to determine if Special Education or 504 services are needed.

Letters and phone calls are some of the ways the Paintsville Independent School District collects the information needed. The information the school District collects will be used to contact the parents of the child and find out if the child needs to be evaluated or referred for Special Education or 504 services.

If you know of a child who lives within the boundaries of the Paintsville Independent School District, who may have a disability, and may need but is not receiving Special Education or 504 services, please call Stacy Bland, (606) 789-2654 or send the information to:

**Director of Special Education  
Section 504 Coordinator  
Paintsville Ind. Schools  
305 Second Street  
Paintsville, KY 41240  
(606) 789-2654**

If you know of a child who attends a private or home school within the boundaries of the Paintsville Independent School District, who may have a disability, and may need but is not receiving Special Education services, please call Stacy Bland or send the information to:

**Director of Special Education  
Paintsville Independent Schools  
305 Second Street  
Paintsville, KY 41240  
(606) 789-2654**

“Child Find” activities will continue throughout the school year. As part of these efforts the Paintsville Independent School District will use screening information, student records, and basic assessment information it collects on all children in the District to help locate those children who have a disability and need Special Education or 504 services. Any information the District collects through “Child Find” is maintained confidentially.

Written Policies and Procedures have been developed which describe the District’s requirements regarding the confidentiality of personally identifiable information and “Child Find” activities. There are copies in the Principal’s office of each school, and in the Board of Education office. Copies of these Policies and Procedures may be obtained by contacting:

**Director of Pupil Personnel  
Paintsville Independent Schools  
305 Second Street  
Paintsville, KY 41240  
(606) 789-2654**

The District office is open Monday through Friday, from 8 a.m. to 4 p.m.

The Paintsville Independent School District provides a public notice in the native language or other mode of communication of the various populations in the geographical boundaries of the District to the extent feasible. If you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner or mode of communication, please contact the Director of Pupil Personnel, the Director of Special Education or the Section 504 Coordinator at the address or phone number listed above for the Paintsville Independent Schools.

### **NON-DISCRIMINATION POLICY STATEMENT**

Students, parents, employees and the general public are hereby notified that the Paintsville Independent School District does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability in employment programs, vocational programs, or activities set forth in compliance with the Office of Civil Rights, Title VI, Title VII, Title IX, ADA and Section 504. The Paintsville City Schools through Mayo Technical College and Carl D. Perkins Job Corps Academy offers the following vocational programs for students in grades 9-12: Business and Office, Carpentry, Electricity, Health Services, and Keyboarding. Paintsville High School offers computer applications, web design, life skills, and money skills for grades 9-12. The Paintsville Youth Service Center with the help from Mayo Technical College offers adult GED classes to individuals pursuing a GED certificate. Adult programs are offered periodically based upon the demand for specific classes. A person having inquiries concerning Paintsville City Schools’ compliance with the Office of Civil Rights Law, Title VI, Title VII, Title IX, ADA, and Section 504 is directed to contact Bryan Auxier or Stacy Bland, 305 Second Street, Paintsville, KY, at (606) 789-2654.

The Paintsville Independent School District provides this notice in the native language or other mode of communication of the various populations in the geographical boundaries of the District to the extent feasible. If you know of someone who

may need this notice translated to another language, given orally, or delivered in some other manner or mode of communication, please contact Matt Ratliff or Stacy Bland at (606) 789-2654.

## **NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT**

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents; or
  8. Income, other than as required by law to determine program eligibility.
- *Receive notice and an opportunity to opt a student out of* –
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- *Inspect*, upon request and before administration or use –
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

Paintsville Independent School District (PISD) will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. PISD will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. PISD will also notify parents and eligible students at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

*Parents/eligible students who believe their rights have been violated may file a complaint with:*

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

For additional information, you may contact Stacy Bland, Director of Special Education, at (606) 789-2654.